FORM NLRB-508 (6-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| | DO NOT WRITE IN T | THIS SPACE | | | |
|------|-------------------|------------|--|--|--|
| Case | | Date Filed | | | |
| | 20-CB-240427 | 4/29/2019 | | | |

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

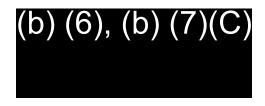
| 1. LABOR ORGANIZATION C | OR ITS AGENTS | AGAINST WHICH CHAP | RGE IS BROUG | SHT | | | |
|--|--|--------------------------------------|----------------------------|--------------------------------------|-------------------------|------------------------|------------|
| a. Name Security, Police and Fire Professionals of America, Loc | cal 650 | | b. Union Rep (b) (6), (| | | | |
| Security, I once and Fire Hotessionals of America, Loc | cai 050 | | (b) (b), (| b) (1)(C | / . , | | |
| c. Address (Street, city, state, and ZIP code) 829 Hao Street | | | d. Tel. No. (808) 348- | 0801 | e. Cell N | 0. | |
| Honolulu, HI 96821 | | | f. Fax. No. | | | | |
| | | | g, e-mail (b) (6), (| b) (7)(C |) | | |
| h. The above-named labor organization has engaged in and is (list subsections) (A) practices are practices affecting commerce within the meaning the Act and the Postal Reorganization Act. | | of the Nat | onal Labor Rela | ations Act, a | ind these u | infair labor | |
| 2. Basis of the Charge (set forth a clear and concise statement Within the past six months, the above-named labor orgin by Section 7 of the Act by refusing to process the Charge reasons or in bad faith. | anization has re | estrained and coerced | employees in | the exercis | se of righ or discri | ts protect ninatory | ed |
| 3. Name of Employer Securitas Security Services USA, Inc. | | 4a. Tel. No. (808) 334-0730 | b, Cell No. c. Fix No. | | | 7019 | NLRE |
| becames becaute between born, me. | | d. e-mail bill.king@securitasi | nc.com | | ONOLU | APR | |
| 5. Location of plant involved (street, city, state and ZIP code) 73-200 Kupipi Street Kailua-Kona, HI 96740 | | | 6, Employer William K | | per Cod | 2 ado M II: | SUB-REGION |
| 7. Type of establishment (factory, mine, wholesaler, etc.) Security Company | 8. Identify Security | principal product or servi | сө | 9. Number of | | employed | 37 |
| 10. Full name of party filing charge (b) (6), (b) (7)(C) | | | | | | | _ |
| 11. Address of party filing charge (street, city, state and ZIP code) | | 11a. Tel, No, (b) (6), (b) (7)(C) | b. Cell No. | | c. Fax N | o. | |
| (b) (6), (b) (7)(C) | | d. e-maîl (b) (6), (b) (7)(0 | C) | | | | |
| (b) (6), (b) (7)(C) have read the above chue to the best of my known to the be | arge and that the owledge and belie | | (b | el. No.) (6), (b) (7) ell No. |)(C) | | |
| making charge) | (Print/type ri | ame and title or office, if any | 1 F | ax No. | | | - |
| Address (b) (6), (b) (7)(C) | | Date 1/-)2/-/ | (b |) (6), (| (b) (7 |)(C) | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

SUBREGION 37 300 Ala Moana Blvd Rm 7-245 Honolulu, HI 96850-7245 Agency Website: www.nlrb.gov Telephone: (808)541-2814

Fax: (808)541-2818

May 23, 2019



Re: Security Police and Fire Professionals of America, Local 650 (Securitas Security

Services USA Inc.) Case 20-CB-240427

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Security Police and Fire Professionals of America, Local 650 Union has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because of there is insufficient evidence to establish a violation of the Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlrb.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **June 6, 2019**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by

delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than *June 5*, *2019*. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely**. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before June 6, 2019.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after June 6, 2019, **even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

DANIEL J. OWENS Acting Regional Director

/s/ Dale K. Yashiki

By:

DALE K. YASHIKI Officer in Charge

Enclosure

cc: (b) (6), (b) (7)(C)

International Union, Security, Police and Fire Professionals of America, Local 650 829 Hao St

Honolulu, HI 96821-1620

(b) (6), (b) (7)(C)

Bill King, Airport Security Manager Securitas Security Services USA, Inc. 73-200 Kupipi Street Kona International Airport Kailua-Kona, HI 96740-2645 Email: bill.king@securitasinc.com

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

| Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001 |
|---|
| Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to ssue a complaint on the charge in |
| Case Name(s). |
| Case No(s). (If more than one case number, include all case numbers in which appeal is taken.) |
| (Signature) |



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

July 10, 2019

(b) (6), (b) (7)(C)

Re: Security Police and Fire Professionals of

America, Local 650 (Securitas Security

Services USA Inc.) Case 20-CB-240427

Dear (b) (6), (b) (7)(C)

Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied. It is well established that a union is generally afforded a wide range of discretion in the performance of its representation functions provided that its conduct is not motivated by arbitrary, invidious, or discriminatory considerations. See *Vaca v. Sipes*, 386 U.S. 171 (1967). Here, the Union has not breached its duty of fair representation. Rather, the evidence reveals that the Union is continuing to process your grievance and is awaiting a decision from the International Union as to whether your grievance will be processed further. Accordingly, further proceedings are not warranted.

Sincerely,

Peter Barr Robb General Counsel

By:

Mark E. Arbesfeld, Director Office of Appeals

Mark E. Albertell

cc: JILL H. COFFMAN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
901 MARKET ST STE 400
SAN FRANCISCO, CA 94103-1738

(b) (6), (b) (7)(C)

INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA, LOCAL 650 829 HAO ST HONOLULU, HI 96821-1620 DALE K. YASHIKI
OFFICER IN CHARGE
NATIONAL LABOR RELATIONS
BOARD
300 ALA MOANA BLVD RM 7-245
HONOLULU, HI 96850-7245

BILL KING AIRPORT SECURITY MANAGER SECURITAS SECURITY SERVICES USA, INC. 73-200 KUPIPI ST KONA INTERNATIONAL AIRPORT KAILUA-KONA, HI 96740-2645

kh

INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT UNDER 44 U.S.C 3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| DO NOT WRITE IN THIS SPACE | | | | | |
|----------------------------|----------------|--|--|--|--|
| Case | Date Filed | | | | |
| 20-CB-258251 | March 20, 2020 | | | | |

| 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT Take (D16) (D17)(C) 1. Address (Street, city, state, and ZIP code) 2. Address (Street, city, state, and ZIP code) 3. Name of Employer 4. Tel. No. (808) 346-0022 C Fax No. 4. Tel. No. (808) 346-0022 C Fax No. 4. Employer representative to contact Daniel Counts 5. Location of plant involved (street, city, state and ZIP code) 3. Manual counts 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 5. Location of plant involved (street, city, state and ZIP code) 6. Employer representative to contact Daniel Counts 7. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service 9. Number of workers employed 6. Employer representative to contact Daniel Counts 7. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service 9. Number of workers employed 11. | INSTRUCTIONS: File an original with NLRB Regional Director for the | region in which the alleged u | ntair labor pra | ctice occurre | ed or is occurring. |
|---|---|--|--------------------------------|--|--|
| c. Address (Street, city, state, and ZIP code) d. T. R. No. g. e. Cell No. (S88) 777-8250 f. Fax No. g. e. Mail interpretable (S88) 777-8250 f. Fax No. g. e. Mail interpretable (S88) 777-8250 f. Fax No. g. e. Cell No. (S88) 777-8250 f. Fax No. g. e. Mail interpretable (S88) 777-8250 f. Fax No. g. e. Mail interpretable (S88) 777-8250 f. Fax No. g. e. Cell No. (S88) 777-8250 f. Fax No. g. e. Cell No. (S88) 777-8250 g. e. Cell No. (S88) | 1. LABOR ORGANIZATION OR ITS | AGENTS AGAINST WHICH | | | |
| C. Address (Street, city, state, and ZIP code) C. Address (Street, city, state, and ZIP code) 25510 Kelly road MI Roseville 48066 I. Fax No. G. B. J. Fax No. G. B. Meill G. J. Fax No. G. B. J. Fax No. G. B. Meill G. J. Fax No. G. Employer G. Fax No. G. Employer Procedures G. E. Fax No. G. Employer Procedures G. E. Fax No. G. Employer Procedures G. E. Fax No. G. Employer Socuritas G. E. Fax No. G. Employer Procedures G. E. Fax No. G. Employer Procedures G. Employer Socuritas G. Employer Procedures G. Employer G. Fax No. | | | b. Union Rep | presentative | to contact |
| d. Tel. No. (588) 772-8250 E. Cell No. (588) 772-8250 E. Tex No. | security police fire professionals of america | | (b) (6), (b) (7) | (C) | |
| d. Tel. No. (588) 772-8250 E. Cell No. (588) 772-8250 E. Tex No. | | | Title: (b) (| 6), (b) (7)(0 | |
| 25510 Kelly road MI Roseville 48068. 1. The above named organization(s) or its agents has (have) engaged in and is (are)engaginal in unfair labor practices within the meaning of section (80), of the National Labor Relations Act, and these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alieged unfair labor practices. 3. Name of Employer Securitias 3. Name of Employer Securitias 4a. Tel. No. (808) 346.0822 | | | | | <u></u> |
| 25510 Kelly road Microseville 48066 | c. Address (Street, city, state, and ZIP code) | | | 8070 807 | e. Cell No. |
| M Roseville 48066 | 25510 Kelly road | | Action and the contract of the | 250 | |
| h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (life subsection(s) (1)(A) subsection(s) (1)(A) or the National Labor Relations Act, and these unfair labor practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See additional page 3. Name of Employer Securitias 3. Name of Employer Securitias 4a. Tel. No. (808) 345-0622 c. Fax No. d. e-Mail daniel.counts@securitasinc.com d. e-Mail daniel.counts@securitasinc.com 6. Employer representative to contact Daniel Counts Title: Contract Security Manager 7. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service 9. Number of workers employed Security Systems & Services 11a. Tel. No. d. e-Mail (b) (6) (b) (7) (C) Call No. (Call | | | f. Fax No. | | |
| subsection(s) (list subsections) (1)(A) and the National Labor Relations Act, and these unfair labor practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See additional page 3. Name of Employer Securitias 4a. Tel. No. (808) 346-0622 c. Fax No. d. e-Mail daniel counts@securitasinc.com 5. Location of plant involved (street, city, state and ZIP code) 3. 301 Mokulate loop Hi Lihue 96768 7. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service Security Systems & Services 11a. Tel. No. (908) 17(C) 11a. Tel. No. (908) 17(C) 11b. Contract Security Manager 11a. Tel. No. (908) 17(C) 11b. Coll No. (908) 17(C) 11c. No. (908) 17(C) 11d. No. | * | | , | | (b) (b), (b) (7)(C) |
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| 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See additional page 3. Name of Employer Securitas 4a. Tel. No. (808) 346-0622 c. Fax No. 4. e.Mail daniel counts@securitasinc.com 5. Location of plant involved (street, city, state and ZIP code) 3901 Mokulele loop HI Lihue 96766- 7. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service 10. Full name of party filing charge 11a. Tel. No. 11a. Tel. No. 11b. Contract Security Manager 9. Number of workers employed 11a. Tel. No. 11b. Option (7/KG) 11c. Fax No. 11d. Catre that I have read the above charge and that the statements true to the best of my knowledge and belief. By 105 10 1076 11b. Option (7/KG) 11c. Fax No. 11c. No. 11d. Tel. No. 11d. Tel | are unfair practices affecting commerce within the meaning of the A | ct, or these unfair labor practi | ices are unfair | practices af | fecting commerce within the |
| 3. Name of Employer Securitas 4a. Tel. No. (808) 346-0622 c. Fax No. d. e-Mail dariet counts@securitasinc.com 5. Location of plant involved (street, city, state and ZIP code) 3901 Mokulele loop HI Lihue 96766— Title: Contract Security Manager 9. Number of workers employed 6. Employer representative to contact Daniet Counts Title: Contract Security Manager 9. Number of workers employed 11a. Tel. No. (106) (107) | meaning of the Act and the Postal Reorganization Act. | 51 | | A1 | |
| 3. Name of Employer Securitas 4a. Tel. No. (808) 346-0622 c. Fax No. d. e-Mail daniet.counts@securitasinc.com 5. Location of plant involved (street, city, state and ZIP code) 3901 Mokulelo loop HI Lihue 96766_ T. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service 9. Number of workers employed Security Systems & Services 10. Full name of party filing charge 11. Address of party filing charge (street, city, state and ZIP code) 11. Address of party filing charge (street, city, state and ZIP code) 11. Address of party filing charge (street, city, state and ZIP code) 11. Address of party filing charge and that the statements therein are true to the best of my knowledge and belief. By SIGNOTIFE (Frint/hype name and title or office, if any) Title: Tel. No. (Cell No. Fax No. Tel. No. (Cell No. Fax No. Fax No. Fax No. E-Mail | 2. Basis of the Charge (set forth a clear and concise statement of the | e facts constituting the alleged | d unfair labor p | oractices) | |
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| Securitas (808) 346-0622 C. Fax No. d. e-Mail daniel.counts@securitasinc.com 5. Location of plant involved (street, city, state and ZIP code) 3901 Mokulele loop HI Linue 96766. 7. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service 9. Number of workers employed Security Systems & Services 10. Full name of party filing charge (5)(6)(6)(7)(6) 11. Address of party filing charge (street, city, state and ZIP code.) (6)(6)(6)(7)(6) 11. Address of party filing charge (street, city, state and ZIP code.) (6)(6)(6)(7)(6) 12. DECLARATION 13. Tel. No. (6)(6)(6)(7)(6) (7)(6) (6)(6)(7)(6) (7)(6) (6)(6)(7)(7)(6) (7)(7)(7)(6) (8)(8)(7)(7)(7)(6) (8)(8)(8)(7)(7)(7)(6) (8)(8)(8)(8)(8)(8)(8)(8)(8)(8)(8)(8)(8)(| | | | | |
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| By (Signature of representative or person making charge) (Print/type name and title or office, if any) Title: (b) (6), (b) (7)(C) (Print/type name and title or office, if any) Fax No. e-Mail | (b) (b), (b) (7)(C) | | | | |
| By (Signature of representative or person making charge) (Print/type name and title or office, if any) Title: (b) (6), (b) (7)(C) (Print/type name and title or office, if any) Fax No. e-Mail | 12 DECLARATION | | Tel | No. | |
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| Address(date) 03/19/2020 15:01:56 (b) (b) (c) (c) | (b) (b), (b) (7)(C) | | | | (h) (7)(0) |
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Basis of the Charge

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

SUBREGION 37 300 Ala Moana Blvd Rm 7-245 Honolulu, HI 96850-7245 Agency Website: www.nlrb.gov Telephone: (808)541-2814 Fax: (808)541-2818

April 22, 2020

E-Issued

Richard M. Olszewski, Esq. Gregory, Moore, Brooks & Clark, P.C. 65 Cadillac Square, Suite 3727 Detroit, MI 48226-2893

Re: Security Police Fire Professionals of

America (Securitas Security Services USA,

Inc.)

Case 20-CB-258251

Dear Mr. Olszewski:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

JILL H. COFFMAN Regional Director

Drukt pahil:

By:

DALE K. YASHIKI Officer in Charge

cc:

(b) (6), (b) (7)(C)

Security Police Fire Professionals of America 829 Hao Street

Honolulu, HI 96821

(E-Issued)

(E-Issued)

(b) (6), (b) (7)(C)

Joel Hayes, Regional Manager of (E-Issued)
Employee Relations, Pacific Region
Securitas USA
2100 S. State College Blvd.
Anaheim, CA 90806

Richard M. Rand, Esq. Marr Jones & Wang LLP 1003 Bishop Street Pauahi Tower, Suite 1500 Honolulu, HI 96813 (E-Issued)



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

SUBREGION 37 300 Ala Moana Blvd Rm 7-245 Honolulu, HI 96850-7245 Agency Website: www.nlrb.gov Telephone: (808)541-2814 Fax: (808)541-2818

May 12, 2020

E-Issued:

Richard M. Olszewski, Esq. Gregory, Moore, Brooks & Clark, P.C. 65 Cadillac Square, Suite 3727 Detroit, MI 48226-2893

Re: Security Police Fire Professionals of America

(Securitas Security Services USA, Inc.)

Case 20-CB-258251

Dear Mr. Olszewski:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

JILL H. COFFMAN Regional Director

Druke pehil.

By:

DALE K. YASHIKI Officer in Charge

cc:

(b) (6), (b) (7)(C)

Security Police Fire Professionals of America 25510 Kelly Road MI, Roseville 48066 (E-Issued)

Richard M. Rand, Esq. Marr Jones & Wang LLP 1003 Bishop Street Pauahi Tower, Suite 1500 Honolulu, HI 96813 (E-Issued) (b) (6), (b) (7)(C)

Joel Hayes, Regional Manager of Employee Relations, Pacific Region Securitas USA 2100 S. State College Blvd. Anaheim, CA 90806 (E-Issued) INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT UNDER 44 U.S.C 3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| | 1 01111 272111 1 0110211 11 0.0.0 0012 | | | | |
|----------------------------|--|--|--|--|--|
| DO NOT WRITE IN THIS SPACE | | | | | |
| Case | Date Filed | | | | |
| 20-CB-258921 | April 8, 2020 | | | | |

NSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| INSTRUCTIONS. File an original with NLRB Regional Director for the | region in which the alleged u | ınıalı labor pra | cuce occurre | ea or is occurring. |
|--|------------------------------------|---|---|------------------------------------|
| 1. LABOR ORGANIZATION OR ITS | S AGENTS AGAINST WHICH | CHARGE IS | BROUGHT | |
| a. Name Security Police Fire Professionals of America | | b. Union Rep Dave Hick Title: inten | | |
| | | | | |
| c. Address (Street, city, state, and ZIP code) | | d. Tel. No. (586) 772-72 | 250 | e. Cell No. |
| 25510 Kelly Road MI Roseville 48066- | | f. Fax No. | | g. e-Mail |
| INI NOSCVIIIC 40000- | | (586) 772-96 | 344 | spfpapres@spfpa.org |
| h. The above-named organization(s) or its agents has (have) engaged subsection(s) (list subsections) (1)(A) are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. | of the Metic | onal Labor Dal | lations Act | and those unfair labor practices |
| 2. Basis of the Charge (set forth a clear and concise statement of the | e facts constituting the allege | d unfair labor p | oractices) | |
| See additional page | | | | |
| Name of Employer | | 4a. Tel. No. | 1 | b. Cell No. |
| Securitas Security INc. | | (808) 489-35 | 591 | (808) 864-7128 |
| | | c. Fax No. | | d. e-Mail |
| | | | | frederick.robello@securitasinc.com |
| 5. Location of plant involved (street, city, state and ZIP code) | | | | ver representative to contact |
| 888 N Nimitz Hway HI Honolulu 96817- | | | Frederick | sion contract manager |
| 7. Type of establishment (factory, mine, wholesaler, etc.) | Identify principal product | or convios | 0.0000000000000000000000000000000000000 | er of workers employed |
| Security Systems & Services | Airport security | OI Service | 1500 | or or workers employed |
| 10. Full name of party filing charge | 7 in port security | 11a. Tel. No | 1 | b. Cell No. |
| (b) (6), (b) (7)(C) | | (b) (6), (b) (7) | | 2. 00 |
| | | c. Fax No. | - | d. e-Mail |
| 11. Address of party filing charge (street, city, state and ZIP code.) | | | | (b) (6), (b) (7)(C) |
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| (b) (6), (b) (7)(C) | | Tol | No. | |
| 12. DECLARATION I declare that I have read the above charge and that the statements therein are true to | the best of my knowledge and belie | | (b) (6), (l | b) (7)(C) |
| (b) (6), (b) (7)(C) | (b) (6), (b) (7)(C) | | No. | |
| (signature of representative or person making charge) (Print/type | | y) Fax | No | |
| | Title: | Fax | 140. | |
| (b) (6), (b) (7)(C) | | e-M | | -/I \ /7\/e\ |
| Address | (date) 04/8/2020 | 11 09:14 | (b) (6) |), (b) (7)(C) |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Basis of the Charge

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

SUBREGION 37 300 Ala Moana Blvd Rm 7-245 Honolulu, HI 96850-7245 Agency Website: www.nlrb.gov Telephone: (808) 541-2814 Fax: (808) 541-2818

April 23, 2020

E-Issued

Richard M. Olszewski, Esq. Gregory, Moore, Brooks & Clark, P.C. 65 Cadillac Square, Suite 3727 Detroit, MI 48226-2893

Re: Security Police Fire Professionals of

America (Securitas Security Inc.)

Case 20-CB-258921

Dear Mr. Olszewski:

Yesterday, we issued a letter informing you that I had approved the withdrawal of Case 20-CB-258251. That letter was issued in error, and is rescinded. **The case approved for withdrawal is Case 20-CB-258921.** Case 20-CB-258251 continues to be investigated. We apologize for any inconvenience our error may have caused.

Very truly yours,

JILL H. COFFMAN Regional Director

Drukt pehil:

By:

DALE K. YASHIKI Officer in Charge

cc: Dave Hickey, International President (E-Issued)
Security Police Fire Professionals of America
25510 Kelly Road
Roseville, MI 48066

(b) (6), (b) (7)(C) (E-Issued)

Security Police Fire Professionals of America 829 Hao Street Honolulu, HI 96821

(b) (6), (b) (7)(C) (E-Issued)

Frederick Robello (E-Issued)

Division Contract Manager Securitas Security Inc. 888 N Nimitz Hway Honolulu, HI 96817

Richard M. Rand, Esq. (E-Issued)

Marr Jones & Wang LLP 1003 Bishop Street Pauahi Tower, Suite 1500

Honolulu, HI 96813

INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT UNDER 44 U.S.C.3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| , 61411 272111 1 611221 1 1 6152 651 | | | | | | |
|--------------------------------------|-------------------------|--|--|--|--|--|
| DO NOT WRITE IN THIS SPACE | | | | | | |
| ^{Case} 20-CB-266384 | Date Filed 9/21/2020 | | | | | |

| LABOR ORGANIZATION OR ITS a. Name | | | prac | | |
|---|--|--|-----------------|---|---|
| a Name | AGENTS AGAINST WHICH | CHARGE | IS E | ROUGHT | |
| ACCUPATION OF THE PROPERTY OF | | b. Union | Rep | esentative | to contact |
| International Union, Security, Police, and Fire Professionals of Americ | a | Ryan I | Kelly | | |
| | | Title: \ | /ice F | President | |
| | | 3,450,000 | | | |
| c. Address (Street, city, state, and ZIP code) | | d. Tel. N | lo. | | e. Cell No. |
| 8 8 88 8 8 | | 586.879. | .5087 | 7 | |
| D.O. Pay 16014 Fart Worth | | f. Fax No | 0. | | g. e-Mail |
| P.O. Box 16914, Fort Worth, TX 76162 | | | | | ryan@spfpa.org |
| h. The above-named organization(s) or its agents has (have) engaged subsection(s) (list subsections) _3 are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. | of the Natio | onal Labor | Rela | tions Act, a | and these unfair labor practices |
| 2. Basis of the Charge (set forth a clear and concise statement of the | e facts constituting the allege | d unfair lab | bor p | ractices) | |
| VA/fab.in about the constitution of the constitution of the fails | d d f d t b | | 1 | -:4144- | the Caralance |
| Within the previous six months, the Union has faile | d and refused to barga | ain in go | oa i | aith with | the Employer. |
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| Name of Employer | | 4a. Tel. I | No. | | h Call No |
| 1 1 | | 865-266 | 6.03 | 00 | b. Cell No. |
| Paragon Systems, Inc. | | 000 20 | 0-00 | 83 | D. Cell No. |
| Paragon Systems, Inc. | | c. Fax N | | 83 | d. e-Mail |
| Paragon Systems, Inc. | | | | 83 | SECRET PERCENTIONS |
| | | | | | d. e-Mail laura.hagan@scisusa.com |
| Location of plant involved (street, city, state and ZIP code) | | | | 6. Employ | d. e-Mail laura.hagan@scisusa.com er representative to contact |
| Location of plant involved (street, city, state and ZIP code) | d Sainan | | | 6. Employ Laura M I | d. e-Mail laura.hagan@scisusa.com er representative to contact |
| Location of plant involved (street, city, state and ZIP code) Various locations throughout Hawaii and in Guam and | | c. Fax N | 0. | 6. Employ Laura M I Title: Gen | d. e-Mail laura.hagan@scisusa.com er representative to contact lagan eral Counsel |
| 5. Location of plant involved (street, city, state and ZIP code) Various locations throughout Hawaii and in Guam and 7. Type of establishment (factory, mine, wholesaler, etc.) | 8. Identify principal product | c. Fax N | 0. | 6. Employ Laura M I Title: Gen 9. Numbe | d. e-Mail laura.hagan@scisusa.com er representative to contact -lagan |
| 5. Location of plant involved (street, city, state and ZIP code) Various locations throughout Hawaii and in Guam an 7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services | | c. Fax N | 0. | 6. Employ Laura M I Title: Gen | d. e-Mail laura.hagan@scisusa.com er representative to contact lagan eral Counsel r of workers employed |
| 5. Location of plant involved (street, city, state and ZIP code) Various locations throughout Hawaii and in Guam and 7. Type of establishment (factory, mine, wholesaler, etc.) | 8. Identify principal product | c. Fax N or service | . No. | 6. Employ Laura M I Title: Gen 9. Numbe 100 | d. e-Mail laura.hagan@scisusa.com er representative to contact lagan eral Counsel |
| 5. Location of plant involved (street, city, state and ZIP code) Various locations throughout Hawaii and in Guam and 7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services 10. Full name of party filing charge Laura M Hagan | 8. Identify principal product | or service 11a. Tel. (703) 263 | . No. 3-717 | 6. Employ Laura M I Title: Gen 9. Numbe 100 | d. e-Mail laura.hagan@scisusa.com er representative to contact lagan eral Counsel r of workers employed b. Cell No. |
| 5. Location of plant involved (street, city, state and ZIP code) Various locations throughout Hawaii and in Guam an 7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services 10. Full name of party filing charge Laura M Hagan Paragon Systems, Inc. | 8. Identify principal product | c. Fax N or service | . No. 3-717 | 6. Employ Laura M I Title: Gen 9. Numbe 100 | d. e-Mail laura.hagan@scisusa.com er representative to contact -lagan eral Counsel r of workers employed b. Cell No. d. e-Mail |
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| 5. Location of plant involved (street, city, state and ZIP code) Various locations throughout Hawaii and in Guam and 7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services 10. Full name of party filing charge Laura M Hagan Paragon Systems, Inc. 11. Address of party filing charge (street, city, state and ZIP code.) 13900 Lincoln Park Drive Suite 300 VA Herndon 20171- | 8. Identify principal product | or service 11a. Tel. (703) 263 c. Fax N | . No. 33-717 | 6. Employ Laura M F Title: Gen 9. Numbe 100 | d. e-Mail laura.hagan@scisusa.com er representative to contact -lagan eral Counsel r of workers employed b. Cell No. d. e-Mail |
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

SUBREGION 37 300 Ala Moana Blvd Rm 7-245 Honolulu, HI 96850-7245

Agency Website: www.nlrb.gov Telephone: (808)541-2814 Fax: (808)541-2818

October 2, 2020

E-Issued

Laura Hagan, Esq., Vice President/General Counsel Paragon Systems, Inc. 13900 Lincoln Park Dr., Ste. 300 Herndon, VA 20171

Re: International Union, Security, Police, and

Fire Professionals of America (Paragon Systems, Inc.)

Case 20-CB-266384

Dear Ms. Hagan:

We have carefully considered your charge that International Union, Security, Police and Fire Professionals of America (SPFPA) has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

We have attempted several times to contact you in order to investigate this charge, but have been unsuccessful in eliciting any response. For this reason, I have decided to dismiss your charge due to a lack of timely cooperation and have determined that further proceedings are not warranted at this time. If you wish to refile this charge later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's

(Paragon Systems, Inc.)
Case 20-CB-266384

E-Filing policy are available at www.nlrb.gov. See User Guide. A video demonstration which provides step-by-step-instructions and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on October 16, 2020. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 15, 2020. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 16, 2020.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after *October 16, 2020*, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence

at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

JILL H. COFFMAN Regional Director

Drukt pehil:

By:

DALE K. YASHIKI Officer in Charge

Enclosure

cc: Ryan J. Kelly, Vice President-Region 3 International Union, Security, Police and Fire Professionals of America (SPFPA)

PO Box 16914

Fort Worth, TX 76162

E-Issued

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

| Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001 |
|---|
| Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to ssue a complaint on the charge in |
| Case Name(s). |
| Case No(s). (If more than one case number, include all case numbers in which appeal is taken.) |
| (Signature) |

E-FILING TO APPEALS

- 1. **Extension of Time**: This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. **File an Appeal**: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
- 3. **Notice of Appearance**: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
- 4. **Correspondence**: Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 5. **Position Statement**: The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 6. **Withdrawal Request**: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.



7. The selections of **Evidence** or **Other** should no longer be used.

FORM NLRB-508 (4-19)

(b

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| DO NOT WRITE IN THIS SPACE | | | | | |
|----------------------------|------------|--|--|--|--|
| Case | Date Filed | | | | |
| 20-CB-270034 | 12/10/2020 | | | | |

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1. LABOR ORGANIZATION OF | R ITS AGENTS A | GAINST WHICH CHA | RGE IS BROU | GHT | | |
|--|--|---|--|--|---|--|
| a. Name INTERNATIONAL UNION, SECURITY, POLICE, AN AMERICA and ITS LOCAL NO. 652 | ND FIRE PROF | ESSIONALS OF | b. Union Re (b) (6), (b) (7 | | ive to contact | |
| c. Address (Street, city, state, and ZIP code) P.O. Box 894105 Mililani, HI 96789 | | A Maria Pilanga | d. Tel. No. 808) 953- | 5423 | e. Cell No. 808) 469-8704 | |
| William, AT 90789 | | | f. Fax. No. | | | |
| | | | g. e-mail (b) (6), (b |) (Ż)(C) | | |
| h. The above-named labor organization has engaged in and is e (1)(A) practices are practices affecting commerce within the meaning the Act and the Postal Reorganization Act. | | of the Nat | ional Labor Re | lations Ac | t, and these unfair labor | |
| 2. Basis of the Charge (set forth a clear and concise statement of On or about October 27, 2020, the Union completed negother Throughout the negotiation of the contract, bargaining up the contract before it could become effective (as is requirepresentation by rejecting the request of the membership members the right to vote and deprived members of the right desires of its membership. | otiations of a continuit employees pred by the Union to t | ollective bargaining pressed the Union to on's Constitution). Then conducted a rati | agreement w include a pro he Union vice fication vote | ith Paragovision re lated its in a man | equiring amendment of duty of fair ner that denied many | |
| 3. Name of Employer Paragon Security, Inc. 13900 Lincoln Park Drive Suite 300 | | 4a. Tel. No. (703) 263-7176 | b. Cell No. c. Fax No. (703) 263-9157 | | | |
| Herndon, VA 20171 | | d. e-mail LKACIBAN@PAR | ASYS.COM | | | |
| 5. Location of plant involved (street, city, state and ZIP code) Honolulu HI | BISAN | LEAL MARTE PER | 6. Employe Leslie Kad | | tative to contact | |
| 7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services | 8. Identify pr Security | incipal product or servi | се | 9. Number 120 | er of workers employed | |
| 10 Full pame of party filing charge | | | | | | |
| 11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C) | (b | 11a. Tel. No.) (6), (b) (7)(C) | b. Cell No. | | c. Fax No. | |
| | | d. e-mail b) (6), (b) (7)(C | | | | |
| 12. DECLARATI | rge and that the s | statements | | Tel. No. 02-328-7 | 7222 | |
| are true to the best of my knowledge and belief. Jonathan Axelrod | | Cell No. 202-365-1610 | | 610 | | |
| (signature of representative or person making charge) | (Print/type nai | me and title or office, if any | 1) | ax No. | | |
| Beins, Axelrod, P.C., 1717 K Street NW, Wash Address 20006 | | Date 12/10/2020 | | e-mail jaxelrod@beinsaxelrod.com | | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| DO NOT WRITE | IN THIS SPACE |
|--------------|---------------|
| Case | Date Filed |
| 20-CB-270034 | 12/16/2020 |

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1. LABOR ORGANIZATION OR | ITS AGENTS | AGAINST WHICH CHAR | GE IS BROU | GHT | |
|---|---|---|---|---|---|
| a. Name INTERNATIONAL UNION, SECURITY, POLICE, AND FIRE PROFESSION | NALS OF AMERI | CA and ITS LOCAL NO. 652 | (b) (6) | (b) (7) | (C) |
| c. Address (Street, city, state, and ZIP code) P.O. Box 894105 Mililani, HI 96789 | and form | eservicial signa p. 6102-C106 sa | d. Tel. No. 808-953 f. Fax. No. | -5423 | (b) (6), (b) (7)(C) |
| * On the sense of | | ong ujon #202=± wa kata a jumena | g. e-mail (b) (6), | (b) (7)(0 | |
| h. The above-named labor organization has engaged in and is engaged. I (A) practices are practices affecting commerce within the meaning the Act and the Postal Reorganization Act. | | of the Natio | nal Labor Re | lations Act, a | and these unfair labor |
| 2. Basis of the Charge (set forth a clear and concise statement of | the facts const | tituting the alleged unfair | labor practice | s) | |
| On or about October 20, 2020, the Union [SPFPA Paragon Systems, Inc. Throughout the negotiation include a provision requiring ratification of the conconstitution). [SPFPA] violated its duty of fair report then conducted a ratification vote in a manner that the right to a secret ballot. [SPFPA] took these according to the concording to the conducted a ratification vote in a manner that the right to a secret ballot. [SPFPA] took these according to the conducted a ratification vote in a manner that the right to a secret ballot. | on of the contract before resentation at denied m | entract, bargaining use it could become end by rejecting the recany members the re- | unit employ effective (a quest of the ight to vote | yees pres s is requi e membe e and dep | ssed [SPFPA] to red by the Union's ership. [SPFPA] prived members of |
| 3. Name of Employer | | 4a. Tel. No. | b. Cell No. | | c. Fax No. |
| Paragon Security, Inc. | | 703-263-7176 | 571-321 | -0912 | 703-263-9157 |
| 13900 Lincoln Park Drive Suite 300 Herndon, VA 20171 | | d. e-mail Ikaciban@paras | sys.com | | |
| 5. Location of plant involved (street, city, state and ZIP code) Honolulu, HI | | ond-hacea with | | representat (aciban, | ive to contact Jr. |
| 7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services | 8. Identify p | orincipal product or service | e | 9. Number 120 | of workers employed |
| 10. Full name of party filing charge (b) (6), (b) (7)(C) | | eghan. | m (El 1) | | |
| 11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C) | | 11a. Tel. No. (b) (6), (b) (7)(C) d. e-mail (b) (6), (b) (7 | b. Cell No. (b) (6), (| b) (7)(C) | c. Fax No. |
| I declare that I have read the above charge are true to the best of my knowledge and the state of the best of the | ge and that the | statements of. | 2 | Tel. No. 202-328- Cell No. 202-365- | |
| (signature of representative or person making charge) | (Print/type na | ame and title or office, if any) | F | ax No. | |
| Address Beins, Axelrod, P.C., 1717 K Street NW, Suite 1120, Washington | on, DC 20006 | Date 12/16/2020 |) e | -mail exelrod@ | beinsaxelrod.com |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

FORM NLRB-508 (4-19)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| DO NOT WRITE I | N THIS SPACE |
|----------------|--------------|
| Case | Date Filed |
| 20-CB-270039 | 12/10/2020 |

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1. LABOR ORGANIZATION C | OR ITS AGENTS AGA | NST WHICH CHAI | RGE IS BROU | JGHT | |
|---|--------------------------------|----------------------------|----------------------------|----------------------------|------------------------------|
| a. Name INTERNATIONAL UNION, SECURITY, POLICE, A AMERICA and ITS LOCAL NO. 652 | AND FIRE PROFES | SIONALS OF | b. Union R (b) (6), (b) | epresentati (7)(C) | ve to contact |
| c. Address (Street, city, state, and ZIP code) P.O. Box 894105 | | | d. Tel. No. 808) 953- | | (b) (6), (b) (7)(C) |
| Mililani, HI 96789 | | | | | |
| describe the second of the second | | | f. Fax. No | N. | |
| | Advident Service | | g. e-mail (b) (6), (b | o) (7)(C) | |
| h. The above-named labor organization has engaged in and is | engaging in unfair labo | | _ | | |
| (1)(A) | | | | | , and these unfair labor |
| practices are practices affecting commerce within the meaning the Act and the Postal Reorganization Act. | ing of the Act, or these | unfair labor practic | es affecting c | ommerce w | ithin the meaning of |
| the contract before it could become effective (as is requ representation by rejecting the request of the membersh members the right to vote and deprived members of the desires of its membership. | hip. The Union then | conducted a rati | fication vote | in a mani | ner that denied many |
| 3. Name of Employer Paragon Security, Inc. | | Tel. No. (3) 263-7176 | b. Cell No (571) 321 | | c. Fax No. (703) 263-9157 |
| 13900 Lincoln Park Drive Suite 300 Herndon, VA 20171 | | e-mail ACIBAN@PAR | ASYS.CON | 1 | |
| 5. Location of plant involved (street, city, state and ZIP code) Honolulu HI | | | 6. Employe Leslie Ka | er represent aciban Jr. | tative to contact |
| 7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services | 8. Identify princi Security | pal product or servi | ce | 9. Number 120 | er of workers employed |
| 10. Full name of party filing charge (6), (b) (7)(C) | | | | | |
| 11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C) | 11 | a. Tel. No. | b. Cell No (b) (6), (b) | (7)(C) | c. Fax No. |
| | (b) | e-mail (6), (b) (7)(C) | | | |
| 12. DECLARA I declare that I have read the above ch | harge and that the state | ements | | Tel. No. 202-328-7 | 222 |
| constant lies of my known | | an Axelrod | | Cell No. 202-365-1 | 610 |
| (signature of representative or person making charge) | (Print/type name a | and title or office, if an | y) | Fax No. | |
| Beins, Axelrod, P.C., 1717 K Street NW, Was Address 20006 | | 12/10/2020 | | e-mail jaxelrod@ | beinsaxelrod.com |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| DO NOT WRITE | IN THIS SPACE |
|--------------|---------------|
| Case | Date Filed |
| 20-CB-270039 | 12/16/2020 |

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1. LABOR ORGANIZATION OR | R ITS AGENTS | AGAINST WHICH CHAR | GE IS BROU | GHT | |
|---|---|---|---|--|--|
| a. Name | (A) (A) (A) (A) (A) | A CALL OF THE OWNER. | | epresentative | |
| INTERNATIONAL UNION, SECURITY, POLICE, AND FIRE PROFESSION | NALS OF AMERI | CA and ITS LOCAL NO. 652 | (b) (6), | (b) (7) | (C) |
| c. Address (Street, city, state, and ZIP code) | | J. C. V. sales and seed | d. Tel. No. | | (b) (6), (b) (7)(C) |
| P.O. Box 894105 | | | 808-953 | 3-5423 | (b) (b), (b) (1)(b) |
| Mililani, HI 96789 | | | f. Fax. No. | of the Bull | de m |
| | | | a o mail | | |
| | | DAD CHE IN LEGAL | g. e-mail (b) (6). | (b) (7 |)(C) |
| h. The above-named labor organization has engaged in and is en | ngaging in unfai | | \ / \ / / | // | and (list subsections) |
| / (A) practices are practices affecting commerce within the meaning | of the Act, or t | | | | and these unfair labor nin the meaning of |
| the Act and the Postal Reorganization Act. | | | | | |
| 2. Basis of the Charge (set forth a clear and concise statement of | f the facts cons | tituting the alleged unfair I | abor practice | es) | |
| Paragon Systems, Inc. Throughout the negotiation include a provision requiring ratification of the conconstitution). [SPFPA] violated its duty of fair repthen conducted a ratification vote in a manner that the right to a secret ballot. [SPFPA] took these according to the right to a secret ballot. | ntract before presentation at denied m | e it could become e by rejecting the re- any members the ri | ffective (a quest of the ght to vot | as is requi ne membe e and der | red by the Union's ership. [SPFPA] prived members of |
| 3. Name of Employer | | 4a. Tel. No. | b. Cell No. | | c. Fax No. |
| Paragon Security, Inc. | | 703-263-7176 | 571-32 | 1-0912 | 703-263-9157 |
| 13900 Lincoln Park Drive Suite 300 Herndon, VA 20171 | | d. e-mail lkaciban@paras | ys.com | | |
| 5. Location of plant involved (street, city, state and ZIP code) | | | 6. Employe | r representa | tive to contact |
| Honolulu, HI | | | Leslie H | Kaciban, | Jr. |
| 7. Type of establishment (factory, mine, wholesaler, etc.) | TO THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS | orincipal product or service | 9 | Market Contract Contr | of workers employed |
| Security Systems & Services | Security | y | | 120 | |
| 10. Full name of party filing charge b) (6), (b) (7)(C) | | | | | |
| 11. Address of party filing charge (street, city, state and ZIP code) | | 11a. Tel. No. | b. Cell No. | | c. Fax No. |
| o) (6), (b) (7)(C) | | I balakmas w | b. Cell No. (b) (6), (| b) (7)(C) | 350000000000000000000000000000000000000 |
| (0), (0), (1)(0) | | d. e-mail | | | |
| | | b) (6), (b) (7) | (C) | | |
| 12. DECLARATIO | ON | | | Tel. No. | Hart |
| I declare that I have read the above chan | | | 2 | 202-328- | 7222 |
| | onathan / | | | Cell No. 202-365- | 1610 |
| (signature of representative or person making charge) | (Print/type n | ame and title or office, if any) | | Fax No. | 1010 |
| / PLINE | | | | 2011 | |
| Address Beins, Axelrod, P.C., 1717 K Street NW, Suite 1120, Washingt | ton, DC 20006 | Date 12/16/2020 | | _{e-mail} axelrod@ | beinsaxelrod.com |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT UNDER 44 U.S.C.3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| DO NOT W | RITE IN THIS SPACE |
|-------------|--------------------|
| Case | Date Filed |
| 21-CB-15123 | 3-23-11 |

| INSTRUCTIONS: File an original with NLRB Regional Director for | the region in which the alleged | unfair labor pr | actice occurr | ed or is occurring. | |
|--|--|-------------------------|---------------------------------------|--|--|
| 1. LABOR ORGANIZATION OR | ITS AGENTS AGAINST WHIC | H CHARGE IS | BROUGHT | | |
| Name Security, Police and Fire Professionals of America (SF | PFPA), Local Union 3 | b. Union Re (b) (6), | presentative (b) (7)(0 | to contact | |
| c. Address (Street, city, state, and ZIP code) | | d. Tel. No | | e Cell No. | |
| 25510 Kelly Road | | 586-772- | 7250 | | |
| Roseville, MI 48066 | | f. Fax No. | | g. e-Mail | |
| h. The above-named organization(s) or its agents has (have) engage subsection(s) (list subsections) 1(A) are unfair practices affecting commerce within the meaning of the meaning of the Act and the Postal Reorganization Act. | | | | | |
| 2. Basis of the Charge (set forth a clear and concise statement of | the facts constituting the allege | d unfair labor | practices) | | |
| Within the past six (6) months, the above-named labor | r organization has breach | ned its duty | of fair repr | resentation by failing | |
| Name of Employer | | 4a. Tel. No. | 3 | b. Cell No. | |
| Paragon Systems | | 626-966-5 | 544 | | |
| | | c. Fax No. | | d. e-Mail | |
| 5. Location of plant involved (street, city, state and ZIP code) 300 N. Los Angeles Street Los Angeles, CA 90012 | | | 6. Employe Gerald E | er representative to contact dwards | |
| 7. Type of establishment (factory, mine, wholesaler, etc.) | 8. Identify principal product | or service | 9. Number | r of workers employed | |
| security company | security services | | 500+ | | |
| 10. Full name of party filing charge (6), (b) (7)(C) | Œ | 11a. Tel. No. | | (b) (6), (b) (7)(C) | |
| 11. Address of party filing charge (street, city, state and ZIP code.) | | c. Fax No. | | d. e-Mail | |
| (b) (6), (b) (7)(C) | | <u> </u> | | | |
| declare (b) (6), (b) (7)(C) referen are true to (b) (sign | o the best of my knowledge and belief (7)(C) An Individual e name and title or office, if any | | (b) (6), (b) (No. (b) (6), (b) | | |
| same as above | | e-Ma | ail | | |
| Address | (date) 3/23/1 | 1 | | 1 | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 21

888 South Figueroa Street, Ninth Floor

Los Angeles, CA 90017-5449

Telephone: (213) 894-5204 Facsimile: (213) 894-2778

E-mail: NLRBRegion21@nlrb.gov

Resident Office: 555 W Beech Street - Suite 418 San Diego, CA 92101-2939

Telephone: (619) 557-6184 Facsimile: (619) 557-6358

May 23, 2011



Re: Security, Police and Fire Professionals of

America (SPFPA), Local Union 3

(Paragon Systems) Case 21-CB-15123

Dear (b) (6), (b) (7)(C):

The Region has carefully investigated and considered your charge against Security, Police and Fire Professionals of America (SPFPA), Local Union 3 alleging violations under Section 8 of the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have concluded that further proceedings are not warranted and I am dismissing your charge for the following reasons:

Your charge alleges that the Union breached its duty of fair representation under Section 8(b)(1)(A) of the Act by failing and refusing to process your grievances for reasons that were arbitrary, discriminatory or invidious. The investigation revealed that the Union did in fact consider and/or investigate each of your grievances but determined in good faith not to continue pursuing your grievances. Moreover, insufficient evidence was presented to establish that the Union's decision not to continue processing your grievances was based on any arbitrary, discriminatory or invidious considerations. Accordingly, there is insufficient evidence to establish that the Union beached its duty of fair representation and thus it cannot be shown that the Union's conduct represented a violation of Section 8(b)(1)(A) of the Act, as alleged.

Your Right to Appeal: The National Labor Relations Board Rules and Regulations permit you to obtain a review of this action by filing an appeal with the ACTING GENERAL COUNSEL of the National Labor Relations Board. Use of the Appeal Form (Form NLRB-4767) will satisfy this requirement. However, you are encouraged to submit a complete statement setting forth the facts and reasons why you believe that the decision to dismiss your charge was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. *To file an appeal electronically, go to the Agency's website at www.nlrb.gov*, *click on File Case Documents, enter the NLRB Case Number, and follow the detailed instructions.* To file an appeal by mail or delivery service, address the appeal to the Acting General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date and Time: The appeal is due on June 7, 2011. If you file the appeal electronically, it will be considered timely filed if the transmission of the entire document through the Agency's website is accomplished **no later than 11:59 p.m. Eastern Time** on the due date. If you mail the appeal or sent it by a delivery service, it must received by the Acting General Counsel in Washington, D.C. by the close of business at 5:00 p.m. Eastern Time or be postmarked or given to the delivery service no later than June 6, 2011.

Extension of Time to File Appeal: Upon good cause shown, the Acting General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. *To file electronically, go to www.nlrb.gov, click on File Case Documents, enter the NLRB Case Number and follow the detailed instructions.* The fax number is (202) 273-4283. A request for an extension of time to file an appeal **must be received on or before the original appeal due date.** A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

Confidentiality/Privilege: Please be advised that we cannot accept any limitations on the use of any appeal statement or evidence in support thereof provided to the Agency. Thus, any claim of confidentiality or privilege cannot be honored, except as provided by the FOIA, 5 U.S.C. 552, and any appeal statement may be subject to discretionary disclosure to a party upon request during the processing of the appeal. In the event the appeal is sustained, any statement or material submitted may be subject to introduction as evidence at any hearing that may be held before an administrative law judge. Because we are required by the Federal Records Act to keep copies of documents used in our case handling for some period of years after a case closes, we may be required by the FOIA to disclose such records upon request, absent some applicable exemption such as those that protect confidential source, commercial/financial information or personal privacy interests (e.g., FOIA Exemptions 4, 6, 7(C) and 7(d), 5 U.S.C. § 552(b)(4), (6), (7)(C), and (7)(D)). Accordingly, we will not honor any requests to place limitations on our use of appeal statements or supporting evidence beyond those prescribed by the foregoing laws, regulations, and policies.

Notice to Other Parties of Appeal: You should notify the other parties to the case that an appeal has been filed. Therefore, at the time the appeal is mailed to the Acting General Counsel, please complete the enclosed Appeal Form (NLRB-4767) and send one copy of the form to all parties whose names and addresses are set forth in this letter.

Very truly yours,

/s/James F. Small Regional Director

Enclosures

cc: (See next page)

cc: Security, Police and Fire Professionals of America (SPFPA), Local Union 3 25510 Kelly Road Roseville, MI 48066

> Gordon A. Gregory, Attorney at Law Gregory, Moore, Jeakle, Heinen, & Brooks, P.C. The Cadillac Tower 65 Cadillac Square, Suite 3727 Detroit, MI 48226-2893

> Emilie D. Rothgery, Attorney at Law Gregory, Moore, Jeakle, Heinen, & Brooks, P.C. The Cadillac Tower 65 Cadillac Square, Suite 3727 Detroit, MI 48226-2893

David L. Hickey, International President International Union, Security, Police and Fire Professionals of America (SPFPA), International Union 25510 Kelly Road Roseville, MI 48066

Paragon Systems 14160 Newbrook Drive, Suite 210 Chantilly, VA 20151

Acting General Counsel Office of Appeals National Labor Relations Board Washington, D.C. 20570

JFS/ng

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

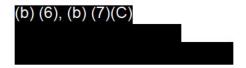
| To: | Acting General Counsel Attn: Office of Appeals | Date: |
|------|---|--|
| | National Labor Relations Board | |
| | Room 8820, 1099 14th Street, N.W | ' |
| | Washington, D.C. 20570 | |
| Rela | 11 | is hereby taken to the Acting General Counsel of the National Labor egional Director in refusing to issue a complaint on the charge in |
| Secu | rity, Police and Fire Professionals | of America (SPFPA), Local Union 3 (Paragon Systems) |
| 21-0 | CB-15123 | |
| Case | Number(s). (If more than one case | number, include all case numbers in which appeal is taken.) |
| | | |
| | | |
| | | |
| | | |
| | | (Signature) |
| | | |

UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, D.C. 20570

June 27, 2011



Re: Security, Police and Fire Professionals of America (SPFPA), Local Union 3 (Paragon Systems) Case 21-CB-015123

Dear (b) (6), (b) (7)(C)

This is in response to your appeal in the above matter. We regret to inform you that nothing further can be done in the matter.

By letter dated you were advised by the Regional Office that a complaint would not issue in the matter and that any appeal from this action must be received in this office by the close of business at 5:00 p.m. (ET) on June 7, 2011, or be postmarked by June 6, 2011. Your appeal dated May 19, 2011 was postmarked June 8, 2011], and received in this office on June 20, 2011. Accordingly, and in light of the Board's Rules, we must reject your appeal as being untimely filed and consider our files in this matter closed.

You may find the necessity of the above action overly harsh and technical. However, we must also keep in mind that parties against whom charges have been filed and dismissed are entitled to know when they need no longer expect that further proceedings against them will be taken.

Sincerely,

Lafe E. Solomon Acting General Counsel

Yvonne T. Dixon, Director Office of Appeals Security, Police and Fire Professionals of America (SPFPA), Local Union 3 (Paragon Systems) Case 21-CB-015123

-2

cc: WILLIAM PATE
ACTING REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
888 SOUTH FIGUEROA ST, 9TH FL
LOS ANGELES, CA 90017

GORDON A. GREGORY, ESQ. GREGORY, MOORE, JEAKLE, HEINEN, & BROOKS, P.C. CADILLAC TOWERS 65 CADILLAC SQ, STE 3727 DETROIT, MI 48226-2844

DAVID L. HICKEY
INTERNATIONAL PRESIDENT
INTERNATIONAL UNION,
SECURITY, POLICE AND FIRE
PROFESSIONALS OF AMERICA
(SPFPA), INTERNATIONAL UNION
25510 KELLY RD
ROSEVILLE, MI 48066-4932

SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA), LOCAL UNION 3 25510 KELLY RD ROSEVILLE, MI 48066

EMILIE D. ROTHGERY, ESQ. GREGORY, MOORE, JEAKLE, HEINEN, & BROOKS, P.C. CADILLAC TOWERS 65 CADILLAC SQ, STE 3727 DETROIT, MI 48226-2844

PARAGON SYSTEMS 14160 NEWBROOK DR, STE 210 CHANTILLY, VA 20151

wp

FORM NLRB-508 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST LABOR ORGANIZATIONS OR ITS AGENTS

| | FORM EXEMPT UNDER 44 U.S.C 3512 |
|-------------|---------------------------------|
| DO NOT W | RITE IN THIS SPACE |
| Case | Date Filed |
| 21-CB-15166 | // 6-17-11 |

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| eged unfair labor practices are unfair practices are unfair practices. Inc. ("Employer") the urity Officers (TSOs es. Ive of the TSOs, the gof the payment of cominate employees, in | e. Cell No. () - g. e-Mail within the meaning of section 8(b), s Act, and these unfair labor practices dices affecting commerce within the |
|---|---|
| d. Tel. No. () - f. Fax No. () - f. Fax No. () - n unfair labor practices lational Labor Relation actices are unfair practi linc. ("Employer") the unity Officers (TSOs es. live of the TSOs, the g of the payment of cominate employees, in for non-p. 4a. Tel. No. () - c. Fax No. | e. Cell No. () - g. e-Mail within the meaning of section 8(b), s Act, and these unfair labor practices lices affecting commerce within the ces) at recognizes the Union as the performing work in San Diego, Union has nevertheless failed to hese pursuant to a union-security including, but not limited to, ayment of dues without b. Cell No. () - |
| f. Fax No. () - f. Fax No. () - n unfair labor practices National Labor Relation actices are unfair practi lnc. ("Employer") th urity Officers (TSOs es. ive of the TSOs, the g of the payment of c minate employees, in for non-p. 4a. Tel. No. () - c. Fax No. | g. e-Mail within the meaning of section 8(b), s Act, and these unfair labor practices lices affecting commerce within the ces) at recognizes the Union as the performing work in San Diego, Union has nevertheless failed to dues pursuant to a union-security including, but not limited to, ayment of dues without b. Cell No. |
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| eged unfair labor practices are unfair practices are unfair practices. Inc. ("Employer") the unity Officers (TSOs es. Inc. of the TSOs, the gof the payment of cominate employees, in for non-process. 4a. Tel. No. | s Act, and these unfair labor practices affecting commerce within the ces) at recognizes the Union as the performing work in San Diego, Union has nevertheless failed to dues pursuant to a union-security including, but not limited to, ayment of dues without b. Cell No. |
| inc. ("Employer") the urity Officers (TSOs es. ive of the TSOs, the gof the payment of cominate employees, in for non-p. 4a. Tel. No. () - c. Fax No. | at recognizes the Union as the b) performing work in San Diego, Union has nevertheless failed to dues pursuant to a union-security including, but not limited to, ayment of dues without b. Cell No. |
| () - c. Fax No. | ()- |
| ł · | |
| | Employer representative to contact ffani Toney |
| | Number of workers employed |
| 11a. Tel. No. (b) (6), (b) (7)(C) c. Fax No. | b. Cell No. () - d. e-Mall |
| Cell No. | CA 91977- |
| | c. Fax No. () - In the lift of the lift |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (ILS. CODE TITLE 18, SECTION 1001)
IO:RM

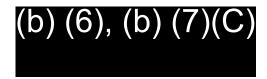
PRIVACY ACT STATEMENT

UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD REGION 21

REGION 21 888 S FIGUEROA ST FL 9 LOS ANGELES, CA 90017-5449

Agency Website: <u>www.nlrb.gov</u> Telephone: (213)894-5204 Fax: (213)894-2778

August 31, 2011



Re: International Union, Security, Police and

Fire Professionals of America (SPFPA),

Local 153

(G4S Secure Solutions (USA), Inc.)

Case 21-CB-015166

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security, Police and Fire Professionals of America (SPFPA), Local 153 has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have concluded that further proceedings are not warranted and I am dismissing your charge.

Your Right to Appeal: You may appeal my decision to the Acting General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlrb.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision to dismiss your charge was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. To file an appeal electronically, go to the Agency's website at www.nlrb.gov, click on **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the Acting General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date: The appeal is due on **September 14, 2011**. If you file the appeal electronically, we will consider it timely filed if you send the appeal together with any other documents you want us to consider through the Agency's website so the transmission is completed by **no later than 11:59 p.m. Eastern Time** on the due date. If you mail the appeal or

International Union, Security, Police and Fire Professionals of America (SPFPA), Local 153 (G4S Secure Solutions (USA), Inc. Case 21-CB-015166

send it by a delivery service, it must be received by the Office of Appeals in Washington, D.C. by the close of business at **5:00 p.m. Eastern Time** or be postmarked or given to the delivery service no later than September 13, 2011.

Extension of Time to File Appeal: Upon good cause shown, the Acting General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. To file electronically, go to www.nlrb.gov, click on **File Case Documents**, enter the NLRB Case Number and follow the detailed instructions. The fax number is (202)273-4283. A request for an extension of time to file an appeal **must be received on or before September 14, 2011.** A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/D. BRUCE HILL Acting Regional Director

Enclosure

cc: (See next page)

International Union, Security, Police and Fire Professionals of America (SPFPA), Local 153 (G4S Secure Solutions (USA), Inc. Case 21-CB-015166

cc ACTING GENERAL COUNSEL
OFFICE OF APPEALS
FRANKLIN COURT BUILDING
NATIONAL LABOR RELATIONS BOARD
1099 14TH STREET, NW
WASHINGTON, DC 20570

MICHAEL J. AKINS, ATTORNEY AT LAW GREGORY, MOORE, JEAKLE & BROOKS, P.C. THE CADILLAC TOWER 65 CADILLAC SQUARE, SUITE 3727 DETROIT, MI 48226-2893

INTERNATIONAL UNION, SECURITY, POLICE, AND FIRE PROFESSIONALS OF AMERICA (SPFPA), LOCAL 153 25510 KELLY RD ROSEVILLE, MI 48066-4932

G4S SECURE SOLUTIONS (USA) INC. 900 LANE AVE., STE 114 CHULA VISTA, CA 91914-3515

DBH/ep

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

| To: Acting General Counsel Attn: Office of Appeals | Date: |
|---|---|
| National Labor Relations Board | |
| Room 8820, 1099 - 14th Street, N.W. Washington, DC 20570-0001 | |
| • • | nereby taken to the Acting General Counsel of the ion of the Regional Director in refusing to issue a |
| International Union, Security, Police and Fire | Professionals of America (SPFPA), Local 153 |
| Case Name(s). | |
| Case 21-CB-015166 | |
| Case No(s). (If more than one case number, i | nclude all case numbers in which appeal is taken.) |
| | |
| | (Signature) |
| | |

INTERNET FORM NLRB-508 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| | FORM EXEMPT UNDER 44 U.S.C. 3512 |
|----------|----------------------------------|
| DO | NOT WRITE IN THIS SPACE |
| Case | Date Filed |
| 21-CB-09 | 150 10-11-12 |

INSTRUCTIONS). File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| INSTRUCTIONS: File an original with NERB Regional Director for in | ie region in which the alleged t | Jutair tabor | prac | ctice occurr | ea or is occurring. |
|---|---|----------------------|---------------|---------------|---------------------------------------|
| 1. LABOR ORGANIZATION OR IT | S AGENTS AGAINST WHICH | CHARGE | ISE | BROUGHT | |
| a. Name | | b. Union | Rep | resentative | to contact |
| International Union, Security, Police and Fire Profe | essionals of | Got | don | A Gree | gory, General Counsel, |
| America (SPFPA) | | 1 | | _ | nion, SPFPA |
| · · · · · · · · · · · · · · · · · · · | | | | | |
| c. Address (Street, city, state, and ZIP code) | | d. Tel. N 586-77 | | 250 | e Cell No. |
| 25510 Kelly Road | | f. Fax No | | | g. e-Mail |
| Roseville, MI 48066 | | 586-77 | 72-9 | 644 | |
| h. The above-named organization(s) or its agents has (have) engaged subsection(s) (list subsections) (3) are unfair practices affecting commerce within the meaning of the Ameaning of the Act and the Postal Reorganization Act. | of the Nati | onai Labor | Rela | ations Act, a | and these unfair labor practices |
| 2. Basis of the Charge (set forth a clear and concise statement of the | ne facts constituting the allege | d unfeir leb | or pi | rectices) | |
| Within the last six (6) months, the above-name to bargain in good faith in violation of Section | | s failed | and | refused | |
| | | | | | |
| 3. Name of Employer | | 4a. Tel. 1 714-61 | | 724 | b. Cell No. |
| Universal Protection Service | | c. Fax No | | ,,,, | d. e-Mail |
| | | 714-619-9754 | | 754 | |
| 5. Location of plant involved (street, city, state and ZIP code) | | 1 | T | 6. Employ | er representative to contact |
| 1551 North Tustin Ave., Suite 650, Santa Ana, CA 92 | 2705 | | | Robert 2 | L. Rediger, Esq. |
| 7. Type of establishment (factory, mine, wholesaler, etc.) | 8. Identify principal product | or service | | | r of workers employed |
| Security Agency | Security | | | Approx | |
| 10. Full name of party filing charge | | 11a. Tel. 916-44 | No. 2₌∩ú | 133 | b. Cell No |
| Robert L. Rediger, Esq. | | c. Fax No | | ,55 | d. e-Mail |
| Rediger, McHugh & Owensby, LLP 11 Address of party filing charge (street, city, state_and ZIP code.) | | 916-49 | 8-12 | 246 | rrediger@rmlaw.net |
| 555 Capitol Mail, Suite 1240 | | | | | , , , , , , , , , , , , , , , , , , , |
| Sacramento CA 98814/ | | | - | | |
| declare that I have read the above thange and that the standing its begin are true to | the best of my knowledge and belie | r. ' | Γel. Ν | 916-44 | 42-0033 |
| Robert Robert | L. Rediger, Attorney name and title or office, if any | [| Cell N | lo. | |
| | | F | ax N | 916-4 | 98-1246 |
| 555 Capitol Mall, Suite 1246 | 10 <i>1</i> 00 | | -Mai | | |
| Address Sacramento, CA 95814 | (date) 10/09 | /2012 | | rredig | er@rmlaw.net |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



REGION 21 888 S FIGUEROA ST FL 9 LOS ANGELES, CA 90017-5449

Agency Website: www.nlrb.gov Telephone: (213)894-5204

Fax: (213)894-2778

December 13, 2012

GORDON A. GREGORY, GENERAL COUNSEL GREGORY, MOORE, JEAKLE & BROOKS, P.C. 65 CADILLAC SQ, STE 3727 DETROIT, MI 48226-2893

Re: International Union, Security, Police

and Fire Professionals of America (SPFPA) (Universal Protection Service)

Case 21-CB-091150

Dear Mr. Gregory:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

OLIVIA GARCIA Regional Director

cc: (See next page.)

- 2 -

(SPFPA) (Universal Protection Service)

Case 21-CB-091150

cc: WILLIAM L. HICKEY, INTERNATIONAL PRESIDENT INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA), INTERNATIONAL UNION 25510 KELLY RD. ROSEVILLE, MI 48066-4911

ROBERT L. REDIGER, ATTORNEY AT LAW REDIGER, MCHUGH & OWENSBY, LLP 555 CAPITOL MALL, STE 1240 SACRAMENTO, CA 95814-4603

UNIVERSAL PROTECTION SERVICE 1551 NORTH TUSTIN AVE, STE 650 SANTA ANA, CA 92705-8664

OG/cw

| UNITED STATES OF AMERICA | | | וסטו | NO! WE | KITE IN IT | HIS SPACE |
|--|--------------|--|--------------------------------------|---------------|-------------------------------|---------------------------------|
| NATIONAL LABOR RELATIONS BOARD | | Case Date filed | | | | Date filed |
| CHARGE AGAINST LABOR ORGANIZATION | | | | | | 08/13/2013 |
| OR ITS AGENTS | | | -CB-1111 | | | |
| INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring. | | | | | alleged unfair labor practice | |
| LABOR ORGANIZATION O | R ITS AGE | NTS AGA | | | | |
| a. Name | | | b. Union Repr | | ve to Conta | act |
| Security Police Fire Professionals Of America (S | SPFPA) | | David Hicke | ey . | | |
| 3001 | | | Internationa | I Presi | dent | |
| c. Address | | | d. Tel. No. | Te | Cell No | |
| 25510 Kelly Road, Roseville, MI 48066-4932 | | | (586)-772- | | | |
| 200 to Kelly Hodd, Hoddine, Mr. 10000 1002 | | | 7250 | | | |
| | | 1 | | | g. e-Mail | |
| | | | (586)-772- | (| dlhickeyC | 1@aol.com |
| | | | 9644 | - 1 | | |
| h. The above-named labor organization or its agents have e | | | | | | |
| 8(b), subsections (1) (A) of the National Labor Relations | Act, and the | nese unfai | r labor practices | are unfa | air practice | s affecting commerce within the |
| meaning of the Act, or are unfair practices affecting comm | merce with | in the me | aning of the Act | and the | Postal Red | organization Act |
| 2. Basis of the Charge (set forth a clear and concise statement) | ent of the | facts cons | tituling the alleg | ied unfai | r labor pra | ctices) |
| taggi: it is a total tot | .t. t. b | | Name disease also | 4 | | |
| Within the past six months, the above-name | | | | | | |
| has refused to release information needed for | | | | ans for | arbitrary | , capricious and |
| discriminatory reasons in violation of Section | 1 B(b)(1) | (A) of th | e Act. | | | |
| | | | | | | |
| Name of Employer | 100 | | 4a. Tel. No. | | b. Cell No | |
| Asset Security | | | (760)-336- | | 760)-562 | -1472 |
| | | | 5000 No. 1000 | | d. e-Mail | |
| | | | 4c. Fax No. alegi | | legler@e | ec-spc.com |
| | | | | | | |
| 5. Location of Plant involved (street, city, state, and ZIP cod | ie) | | 6 Employer representative to contact | | | |
| 1115 North Imperial Avenue, El Centro CA 9224 | 43 | İ | Project Manager Alfred Legler | | | |
| | Principal | product o | | | | orkers employed |
| | Detention | | | 400 | | |
| 10. Full name of party filing charge | Jete Itto | 1 SELVICE | 11a Tel, No. | 1400 | 11b | Cell No. |
| (b) (6), (b) (7)(C) | | 1 | - | \ <u>(</u> 0) | 200 1000 1000 | 6), (b) (7)(C) |
| (b) (b), (b) (1)(b) | | ļ | (b) (6), (b) (7 |)(C) | - 3 | |
| | | 1 | 11c. Fax No | | 1000 | e-Mail |
| 700 | | | | | (b) (| (6), (b) (7)(C) |
| 11 Address of party filing charge (street, city, state, and ZIP | (code) | | | | | |
| (b) (6), (b) (7)(C) | | | | | | |
| | | CLARATI | | | | |
| I declare that I have read the above charge and th | nat the sta | tements ! | therein are true | to the t | best of my | knowledge and belief. |
| (b) (6), (b) (7)(C) | | | | - 120 | Tell | No. |
| | | (O) (I) (= | 7)(0) | احترامتي | | 6), (b) (7)(C) |
| By | (b) | (6), (b) (7 | (C) , indi | vidual | Cell | X1(3) |
| | | -10 | d 4'at | Hinn I | | 6), (b) (7)(C) |
| (signature of representative or person making charge | an | A CONTRACTOR OF THE PROPERTY O | me and title or o | mice, II | Fax | INU. |
| Address: | | | Date | | e-Ma | lie |
| (b) (6), (b) (7)(C) | | | August | 13, 201 | 1/2 1/2/20 | (6), (b) (7)(C) |
| (6) (6), (6) (1)(6) | | | | | | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or hitigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)



REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5204

Fax: (213)894-2778

September 27, 2013

(b) (6), (b) (7)(C)

Re: SECURITY POLICE FIRE

PROFESSIONALS OF AMERICA

(SPFPA) (Asset Security) Case 21-CB-111146

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that SECURITY POLICE FIRE PROFESNALS OF AMERICA (SPFPA) has violated the National Labor Relations Act.

Decision to Dismiss:Based on that investigation, I have decided to dismiss your charge because of the lack of cooperation by the Charging Party.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlrb.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision to dismiss your charge was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. To file an appeal electronically, go to the Agency's website at www.nlrb.gov, click on E-**File Documents**, enter the NLRB Case Number, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date: The appeal is due on October 11, 2013. If you file the appeal electronically, we will consider it timely filed if you send the appeal together with any other documents you want us to consider through the Agency's website so the transmission is completed by no later than 11:59 p.m. Eastern Time on the due date. If you mail the appeal or send it by a delivery service, it must be received by the Office of Appeals in Washington, D.C. by the close of business at 5:00 p.m. Eastern Time or be postmarked or given to the delivery service no later than October 10, 2013.

Extension of Time to File Appeal: Upon good cause shown, the General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. To file electronically, go to

PROFESSIONALS OF AMERICA (SPFPA) (Asset Security) Case 21-CB-111146

www.nlrb.gov, click on **E-File Documents**, enter the NLRB Case Number and follow the detailed instructions. The fax number is (202)273-4283. A request for an extension of time to file an appeal **must be received on or before October 11, 2013.** A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

OLIVIA GARCIA Regional Director

Enclosure

cc GENERAL COUNSEL
OFFICE OF APPEALS
FRANKLIN COURT BUILDING
NATIONAL LABOR RELATIONS
BOARD
1099 14TH STREET, NW
WASHINGTON, DC 20570

WILLIAM L. HICKEY, INTERNATIONAL PRESIDENT INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA), INTERNATIONAL UNION 25510 KELLY RD ROSEVILLE, MI 48066-4932 - 3 -

GORDON A. GREGORY, GENERAL COUNSEL GREGORY MOORE JEAKLE & BROOKS PC 65 CADILLAC SQUARE, SUITE 3727 DETROIT, MI 48226-2893

ASSET SECURITY 1115 NORTH IMPERIAL AVENUE EL CENTRO, CA 92243

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

| To: General Counsel | Date: |
|---|---|
| Attn: Office of Appeals | |
| National Labor Relations Board | |
| Room 8820, 1099 - 14th Street, N.W | |
| Washington, DC 20570-0001 | |
| | s hereby taken to the General Counsel of the National the Regional Director in refusing to issue a complaint |
| Case Name(s). | |
| | |
| Case No(s). (If more than one case number | er, include all case numbers in which appeal is taken.) |
| | |
| | (Signature) |
| | |

| -UNITED STATES OF AMERICA | | DO NOT WRITE IN THIS SPACE | | | | |
|---|-------------------------|----------------------------|---|------------------------------|--|--|
| NATIONAL LABOR RELATIONS BOARD | | Case | | | Date filed | |
| CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS | | | CB-118927 | | 12-12-13 | |
| INSTRUCTIONS: File an original of this charge with th occurred or is occurring. | e NLRB Re | egional Dir | ector of the regi | on in which | n the alleged unfair labor practice | |
| 1. LABOR ORGANIZATION | OR ITS AG | ENTS AGA | INST WHICH CHA | RGE IS BRO | DUGHT | |
| Name International Union, Security Police and Fire Professionals (SPFPA), Local Union No. 3 | of America | 1 | | Representa , (b) (7)(C) | ative to Contact | |
| c. Address | | - | c. Tel. N (586)772-725 | St. Commission | No. | |
| 25510 Kelly Road | | | | _ | Mail | |
| Roseville MI 48066 | | | f. Fax N (586)772-964 | | viali | |
| h. The above-named labor organization or its agents have 8(b), subsection(s) (1)(A) of the National Labor Relation the meaning of the Act, or are unfair practices affecting. Basis of the Charge (set forth a clear and concise state) | ns Act, and commerce | these unfa within the | ir labor practices meaning of the A | are unfair p ct and the F | ractices affecting commerce within Postal Reorganization Act. | |
| Since about December 5, 2013, the about December 5, 2013, | arievanc | e of (b) | (6), (b) (7)(C) ite, for arbitra | regard ary or dis | ding the change in work scriminatory reasons or in | |
| Name of Employer | Ġ. | | 4a. Tel. No. | | Cell No. | |
| Spectrum Security Services | | | 949-812-8959 | 4d. e- | -Mail | |
| | A) | | 4c. Fax No. | | | |
| 5. Location of Plant involved (street, city, state, and ZIP code) 1633 E. 4 th Street #238 Santa Ana, CA 92701 | | | 6. Employer representative to contact Henry Lewis | | | |
| | | 23 | | | | |
| 7. Type of Establishment (factory, mine, wholesaler) | 8. Principal Security | | | 9. Number | r of Workers employed | |
| 10. Full name of party filing charge | Occurry | 301 11000 | 11a. Tel. No. | - | 11b. Cell No. | |
| (b) (6), (b) (7)(C) | | | (b) (6), (b) (7)(C) | | (b) (6), (b) (7)(C) | |
| Ŷ. | | | 11c. Fax No. | | 11d e-Mail | |
| 11. Address of party filing charge (street, city, state, and Z (b) (6), (b) (7)(C) | 12. D | DECLARAT tatements | | to the best | of my knowledge and belief. | |
| (b) (6), (b) (7)(C) | (b) |) (6), (b) (7 |)(C) An Individua | al | Tel No. (b) (6), (b) (7)(C) Cell No. (b) (6), (b) (7)(C) | |
| | 1225 | Print/type nany) | ame and title or of | fice, if | Fax No. | |
| Address: (b) (6), (b) (7)(C) | , | -2/ | Date: December | 12, 2013 | e-Mail | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

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REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5204 Fax: (213)894-2778

February 7, 2014

MICHAEL J. AKINS, ATTORNEY AT LAW GREGORY MOORE JEAKLE & BROOKS PC 65 CADILLAC SQ, STE 3727 DETROIT, MI 48226-2893

Re: INTERNATIONAL UNION, SECURITY

POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA), LOCAL UNION

NO. 3

(Spectrum Security Services)

Case 21-CB-118927

Dear Mr. Akins:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

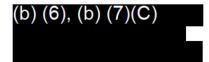
Olivia Garcia
OLIVIA GARCIA
Regional Director

cc: (See next page.)

INTERNATIONAL UNION, SECURITY
POLICE AND FIRE PROFESSIONALS
OF AMERICA (SPFPA), LOCAL UNION
NO. 3
(Spectrum Security Services)
Case 21-CB-118927

ce: WILLIAM L. HICKEY, INTERNATIONAL PRESIDENT INTERNATIONAL UNION, SECURITY POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA), LOCAL UNION NO. 3 25510 KELLY ROAD ROSEVILLE, MI 48066

SPECTRUM SECURITY SERVICES 1633 EAST FOURTH STREET, #238 SANTA ANA, CA 92701



OG/cw

| UNITED STATES OF AMERICA | | DO NOT WRITE IN THIS SPACE | | | | |
|--|--|----------------------------|--|---------------------|--|--|
| NATIONAL LABOR RELATIONS BOARD | | Case | | | Date filed | |
| CHARGE AGAINST LABOR ORGANIZATIO OR ITS AGENTS | N | 21- | CB-13446 | 1 | 08/08/2014 | |
| INSTRUCTIONS: File an original of this charge with t | he NLRB Re | gional Dir | ector of the reg | gion in whic | ch the alleged unfair labor practice | |
| occurred or is occurring. 1. LABOR ORGANIZATION | N OR ITS AG | ENTS AGAI | NST WHICH CH | ARGE IS BE | COLIGHT | |
| a. Name | TORTORIO | Littoriori | b. Union Repr | | | |
| Security Police Fire Professionals of America | | | (b) (6), (b) (7)(C) | | | |
| c. Address | | | d. Tel. No. | | ell No. | |
| P.O. Box 950 | | , | (512) 652- | (b) (| (6), (b) (7)(C) | |
| El Centro, CA 92344 | | ļ | 7061 | 200 | | |
| | | | f. Fax | | -Mail | |
| | | | (512) 339- | (b) | (6), (b) (7)(C) | |
| | | | 6662 | | | |
| | | | 32.5354.0.3 | | | |
| h. The above-named labor organization or its agents have | ve engaged i | n and are e | engaging in unfa | ir labor prac | ctices within the meaning of section | |
| 8(b), subsection(s) (1) (A) of the National Labor Relat the meaning of the Act, or are unfair practices affecting | | | | | | |
| Basis of the Charge (set forth a clear and concise state | tement of the | facts cons | tituting the alleg | ed unfair lat | or practices) | |
| | | | | | , | |
| Within the last six months, the above-named I | labor orgai | nization, | through its a | gent and | representative, The Boon | |
| Group, has failed and refused to pay insurance | e premiun | ns on bel | half of its me | mber (b) (6), | (b) (7)(C) because (b) (6), (b) (7)(C) filed a | |
| complaint on behalf of all the members with th | | | | | | |
| members. | | | | | | |
| | | | | | | |
| 3. Name of Employer | | 1 | 4a. Tel. No. | dh (| Cell No. (760) 562-1472 | |
| Asset Protection and Security Services, LP | | | (760) 604- | - ALT - ALT - | -Mail | |
| | | ł | 2338 | | ler@ec-spc.com | |
| 2 | of the state of th | | 4c. Fax No. | _ - | in Gov sparasiii | |
| | | | | | | |
| 5. Location of Plant involved (street, city, state, and ZIP | code) | | 6. Employer re | presentative | to contact | |
| 1115 N. Imperial Avenue | | | Alfred Legler | | | |
| El Centro, CA 92243 | | | ASSET Project Manager | | | |
| 7. Type of Establishment (factory, mine, wholesaler) | 8. Principa | l product o | | | er of Workers employed | |
| security services | security s | | 1 2014100 | 500 | . or violatio employed | |
| 10. Full name of party filing charge | 3 Security S | aci vices | 11a. Tel. No. | 1.000 | 11b. Cell No. | |
| (b) (6), (b) (7)(C) | | | ************************************** | | (b) (6), (b) (7)(C) | |
| | | 1 | 11c, Fax No. | | 11d e-Mail | |
| , | | | | (b) (6), (b) (7)(C) | | |
| 11. Address of party filing charge (street, city, state, and | ZIP code) | | | | | |
| (b) (6), (b) (7)(C) | | | | | | |
| | 12. D | ECLARATI | ON | | | |
| I declare that I have read the above charge and | d that the st | atements | therein are true | to the bes | t of my knowledge and belief. | |
| | | | | | Tel No. | |
| (b) (6), (b) (7)(C) | (b) | (6), (b) | (7)(C), Individ | dual | Cell No. | |
| (5) (5), (5) (1)(5) | 10-20-0 | . 100 as 12 to 1 | | | (b) (6), (b) (7)(C) | |
| (Signature or representative or person making charge | P | rinVtype na | me and title or d | office, if | Fax No. | |
| | ar | ny) | | | | |
| | 1 | | | | | |
| | | | | | | |
| Address: | | | Date: | | e-Mail | |
| (b) (6), (b) (7)(C) | | | August | 8, 2014 | (b) (6), (b) (7)(C) | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

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(b) (6), (b) (7)(C)

| UNITED STATES OF AMERICA | | DO NOT WRITE IN THIS SPACE | | | | | |
|--|--------------------|----------------------------|--|---------------------|----------------------------|--|--|
| NATIONAL LABOR RELATIONS BOARD | | Case | | | Date filed | | |
| FIRST AMENDED CHARGE AGAINST | 1 | 21 CD | -134461 | | | 0.05.14 | |
| LABOR ORGANIZATION OR ITS AGENTS | | | | | | 9-25-14 | |
| INSTRUCTIONS: File an original of this charge with the NI occurred or is occurring. | LRB Re | gional Di | rector of the r | egion i | n which the | alleged unfair labor practice | |
| 1. LABOR ORGANIZATION OR | ITS AGE | NTS AGA | INST WHICH O | HARGE | IS BROUGH | -T | |
| a. Name | 2000 | | b. Union Re | present | | | |
| Security Police Fire Professionals Of America | | | Gordon A, C | regory | | | |
| | 9 | | Attorney at 1 | Jaw | | | |
| c. Address | | | d. Tel. No. | 00 | e. Cell No |). | |
| P.O. Box 950 | | | (313)964-56 | | . 14 0 | | |
| El Çentro, CA 92344 | | | f. Fa (313)964-21 | x No. 25 | g. e-Mail Gordon@ | unionlaw.net | |
| h. The above-named labor organization or its agents have english (b), subsection(s) (1) (A) of the National Labor Relations A the meaning of the Act, or are unfair practices affecting con 2. Basis of the Charge (set forth a clear and concise statement) | Act, and nmerce | these unf within the | air labor practi meaning of th | ces are e Act ar | unfair pract | ices affecting commerce within I Reorganization Act. | |
| E. Sacio di Nic Sitalga (actività a cicar alla corrolac diatement | n or the | racia com | anding the an | ged an | ian iauoi pie | 501063) | |
| Within the last six months, the above-named labor organization | on, thro | ugh its ag | ent and repres | entative | , The Boon | Group, has intentionally failed | |
| to adjust the medical premiums deducted from its member | (6), (b) (7)(| c) gross e | arnings becau | se (b) (6). (b) | filed a con | aplaint with the International | |
| Union and assisted with a Department of Labor investigation | against | past Unio | n board mem | ocrs for | | | |
| Name of Employer | | | 4a. Tel. No. | | 4b. Cell No | 7 | |
| Asset Protection and Security Services, LP/Ahtna Technical | Services | s, Inc., | Asset Protec | 0.735 | | 07) 223-4488 | |
| A Joint Employer | | 8 | (760)604-23 | 38 | 4d. e-Mail | | |
| | | 3 | Ahtna (907) 334-96 | 21 | Asset Prote security-pr | ection - r.berrglund@asset- | |
| | | | 4c. Fax No. | 004 | | o.com ox@ec-spc.com | |
| | | 8 | Asset Protection | | Allina - cc | ox@ec-spe.com | |
| | | | (361) 906-1844 | | | | |
| | | 3 | Ahtna | | | | |
| | | | (907) 272-6356 | | | | |
| | | 8 | 2 2 2 | | | | |
| 5. Location of Plant involved (street, city, state, and ZIP code) | | | 6. Employer | represe | ntative to co | ntact | |
| Asset Protection | | | Ronald Berg | lund, H | uman Resou | arces Manager | |
| 1115 North Imperial Avenue | | | Asset Protection and Security Services, LP | | | | |
| El Centro, CA 92243 | | | | | | | |
| Ahtna Technical Services, Inc. | | | Frie Cox Project Monager | | | | |
| El Centro Service Processing Center | | | Eric Cox, Project Manager | | | | |
| 1115 North Imperial Avenue El Centro, CA 92243 | | | Ahtna Technical Services, Inc. | | | | |
| | Princina | product | rsenice | 9 1 | Jumber of M | Vorkers employed | |
| | urity ser | 대통합되어 보고 있다면 하다. | or service | 500 | | rotkers employed | |
| 10. Full name of party filing charge | attry ser | VICES | 11a. Tel. No. | | | o. Cell No. | |
| (b) (6), (b) (7)(C) | | | | | 100 | (6), (b) (7)(C) | |
| | | 9 | 11c. Fax No. | | | e-Mail | |
| | | (b) (6), (b) (7)(C) | | | (6), (b) (7)(C) | | |
| 11, Address of party filing charge (street, city, state, and ZIP co | ode) | | | | | | |
| (b) (6), (b) (7)(C) | | | | | | | |
| i i | 12, DE | ECLARAT | ION | | | | |
| I declare that I have read the above charge and that | t the sta | atements | therein are tr | ue to th | | | |
| (b) (6) (b) (7)(0) | | | _ | | | No. | |
| (b) (6), (b) (7)(C) | 4000 | | | | 10000 | l No. | |
| Ву | (b) (| 6), (b) (7) | (C) | 37 | (D) | (6), (b) (7)(C) | |
| (lagarithm) charge | Pr | int/type na | me and title o | office, | if Fax | No. | |
| | an | y) | | | | | |
| | 18 | | | | | | |
| Address: | | | Date: | | , e-N | fail | |
| (b) (6), (b) (7)(C) | | | 09- | 18.1 | | (6), (b) (7)(C) | |
| CACHOARA | | | 07 | 101 | | | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

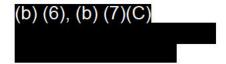


REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449

Agency Website: www.nlrb.gov Telephone: (213)894-5200

Fax: (213)894-2778

October 30, 2014



Re: SECURITY POLICE FIRE

PROFESSIONALS OF AMERICA (Asset Protection and Security Services, LP/Ahtna Technical Services, Inc., A Joint

Employer)

Case 21-CB-134461

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that SECURITY POLICE FIRE PROFESSIONALS OF AMERICA has violated the National Labor Relations Act.

Decision to Dismiss: Your charge alleges that the Union, through its agent, The Boon Group, intentionally failed to adjust the medical premiums deducted from your gross earnings because you filed a complaint with the International Union and assisted with a Department of Labor investigation against past Local Union board members for alleged misappropriation of Union funds. However, the investigation revealed that although your request to The Boon Group for reduced medical premiums was submitted on January 1, 2014, the open enrollment period for changes did not commence until March 2014. As a result, your request was not initially timely, but was processed subsequently, with the consequence that your premiums were reduced in a time frame consonant with a request made within the parameters of the open season. Furthermore, there is no evidence to establish that The Boon Group is an agent or representative of the Union or the International. Moreover, the International was aware of your participation in the DOL investigation and facilitated your assistance in that investigation. Finally, there is no evidence of animus or hostility on the Union's part towards you for your participation in that investigation, nor that the Union in any way manipulated the processing of your request to The Boon Group for reduced premiums.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlrb.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

SECURITY POLICE FIRE
PROFESSIONALS OF AMERICA
(Asset Protection and Security Services,
LP/Ahtna Technical Services, Inc., A Joint
Employer)
Case 21-CB-134461

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at www.nlrb.gov, click on E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date: The appeal is due on November 13, 2014. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 12, 2014. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 13, 2014.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 13, 2014, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at

SECURITY POLICE FIRE
PROFESSIONALS OF AMERICA
(Asset Protection and Security Services,
LP/Ahtna Technical Services, Inc., A Joint
Employer)
Case 21-CB-134461

a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/S/OLIVIA GARCIA Regional Director

Enclosure

cc: GORDON A. GREGORY, GENERAL COUNSEL GREGORY, MOORE, JEAKLE, & BROOKS, P.C. 56 CADILLAC SQUARE, SUITE 3727 DETROIT, MI 48226-2893

SECURITY POLICE FIRE PROFESSIONALS OF AMERICA P.O. BOX 950 EL CENTRO, CA 92344

ASSET PROTECTION AND SECURITY SERVICES, LP 1115 NORTH IMPERIAL AVENUE EL CENTRO, CA 92243

AHTNA TECHNICAL SERVICES, INC. EL CENTRO SERVICE PROCESSING CENTER 1115 NORTH IMPERIAL AVENUE EL CENTRO, CA 92243

OG/hta

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

| To: General Counsel Attn: Office of Appeals National Labor Relations Board Room 8820, 1099 - 14th Street, N.W. Washington, DC 20570-0001 | Date: |
|--|--|
| Please be advised that an appeal is here Labor Relations Board from the action of the Re on the charge in | eby taken to the General Counsel of the National egional Director in refusing to issue a complaint |
| SECURITY POLICE FIRE PROFESSIONAL (Asset Protection and Security Services, LP/Technical Services, Inc., A Joint Employer) | |
| Case Name(s). | |
| 21-CB-134461 | |
| Case No(s). (If more than one case number, incl | ude all case numbers in which appeal is taken.) |
| | (Signature) |

INTERNET FORM NLRB-508 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION

| ¥ | FORM EXEMPT UNDER 44 U.S.C 3512 | | | | |
|--------------|---------------------------------|--|--|--|--|
| DO NOT WR | ITE IN THIS SPACE | | | | |
| Case | Date Filed | | | | |
| 21-CB-156725 | 07-24-15 | | | | |

OR ITS AGENTS INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring. 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT a. Name SPFPA b. Union Representative to contact LOCAL 52 BEN MORENO c. Address (Street, city, state, and ZIP code) d. Tel. No. Cell No. (760) 535-1305 3007 N IMPERIAL AVE f. Fax No. EL CANTRO, CA 92243 DMORGNO.SPFPA.52@ SRC h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), of the National Labor Relations Act, and these unfair labor practices NET subsection(s) (list subsections) are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) LOCAL 52 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (SPEPA) WAS NEGLIGENT IN OF MY ENTITLAMENT TO A FAIR REPRESENTATION REGARDING MY TERMINATION b. Cell No. 4a. Tel. No. 3. Name of Employer PARACON Systems ç. Fax No. d. e-Mail 5. Location of plant involved (street, city, state and ZIP code) 6. Employer representative to contact 1699 CARR RO CALAGICO CA 92231
7. Type of establishment (factory, mine, wholesaler, etc.) 9. Number of workers employed 8. Identify principal product or service FROFFA CONTRACT 10. Full name of party filing charge 11a. Tel. No. (b) (6), (b) (7)(C) c. Fax No. Tel. No. ge and that the statements there (b) (6), (b) (7)((b) (6), (b) (7)(C) (signetur person making charge) e-Mail

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 28 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information with cause the NLRB to decline to invoke its processes.



REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5200

Fax: (213)894-2778

October 14, 2015

GORDON A. GREGORY, GENERAL COUNSEL GREGORY, MOORE, JEAKLE & BROOKS, P.C. 65 CADILLAC SQ, STE 3727 DETROIT, MI 48226-2893

Re: SECURITY POLICE AND FIRE

PROFESSIONALS OF AMERICA

LOCAL 52

(Paragon Systems) Case 21-CB-156725

Dear Mr. Gregory:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

Olivia Garcia OLIVIA GARCIA

Regional Director

(b) (6), (b) (7)(C)

PARAGON SYSTEMS 1699 CARR RD CALEXICO, CA 92231-9703

PARAGON SYSTEMS INC. 13655 DULLES TECHNOLOGY DRIVE SUITE 100 HERNDON, VA 20171-4634

SECURITY POLICE FIRE PROFESSIONALS OF AMERICA INTERNATIONAL UNION, LOCAL 52 3007 NORTH IMPERIAL AVENUE EL CENTRO, CA 92243-6311

OG/cw

| , UNITED STATES OF AMERICA | | DO NOT WRITE IN THIS SPACE | | | | |
|---|---|---|---|--|--|--|
| NATIONAL LABOR RELATIONS BOARS | | Case | Date filed | | | |
| CHARGE AGAINST LABOR ORGANIZATIO AGENTS | | 21-CB-176574 | 05-17-2016 | | | |
| INSTRUCTIONS: File an original of this charge with the occurred or is occurring. | ne NLRB Regional Di | rector of the region in whic | h the alleged unfair labor practice | | | |
| | OR ITS AGENTS AGA | INST WHICH CHARGE IS BRO | DUGHT | | | |
| a. Name | | b. Union Representative to | | | | |
| Security Police Fire Professionals of Americ | a Local 3 | Dennis Blair, Presid | ent | | | |
| c. Address P.O. Box 14148 | | d. Tel. No. | e. Cell No. 909-717-1125 | | | |
| Van Nuys, CA 91409 | | f. Fax No. 909-349-0771 | f. e-Mail dblairlocaj3@gmail.com | | | |
| h. The above-named labor organization or its agents hav 8(b)(1)(A) subsection(s) of the National Labor Relation meaning of the Act, or are unfair practices affecting co 2. Basis of the Charge (set forth a clear and concise state | s Act, and these unfai mmarce within the me | r labor practices are unfair pro aning of the Act and the Post | actices affecting commerce within the al Reorganization Act. | | | |
| | mont or the lasts coll | smaning trie anoged union labo | or practices) | | | |
| Within the past six months the above-nam exercise of rights protected by Section 7 of (b) (6), (b) (7)(C) for arbitrary or discriminat named labor organization has restrained a of the Act by taking and/or obtaining retired reasons or in bad faith. | f the Act by refusi ory reasons or in and coerced emplo | ng and/or failing to proc bad faith. Within the pa byees in the exercise of | ess the termination grievance ast six months the above- rights protected by Section 7 | | | |
| 3. Name of Employer | | 4a. Tel. No. | 4b. Cell No. | | | |
| Paragon Systems, Inc. | | 626-966-5544 | | | | |
| | | 4c. Fax No. 626-966-2186 | 4d. e-Mail | | | |
| 5. Location of Plant involved (street, city, state, and ZIP c | ode). | 6. Employer representative | to contact | | | |
| 750 Terrado Plz #103, Covina, CA 91723 | | Major Manuel Arria | ga | | | |
| 7. Type of Establishment (factory, mine, wholesaler) | 8. Principal product | | Number of Workers employed | | | |
| Security Service Provider | Security Servi | | 100+ | | | |
| 10. Full name of party filing charge | Security Servi | 11a. Tel. No. | 11b. Cell No. | | | |
| (b) (6), (b) (7)(C) | | 114. (6). (40. | (b) (6), (b) (7)(C) | | | |
| | | 11c. Fax No. | 11d e-Mail (b) (6) (b) (7)(C) | | | |
| 11. Address of party filing charge (street, city, state, and 2 | $\frac{1}{(b)}$ (b) (6 | 6), (b) (7)(C | | | | |
| | 12. DECLARAT | ION | | | | |
| i declare that I have read the above charge and | that the statements | therein are true to the best | of my knowledge and belief. | | | |
| r declare that I have read the above charge and | MINE NIA OMERIIIONES | Pilototti bisa tima mi tile heat | Tel No. | | | |
| (b) (6), (b) (7)(C) | (b) (6), (b) (| 7)(C) An Individual | (b) (6), (b) (7)(C) | | | |
| (sig | Print/type nan | ne and title or office, if any | Cell No (b) (6), (b) (7)(C) | | | |
| Address: (b) (6), (b) (7)(C) | | Date: | Fax No. | | | |
| | | 15/5/2016 | e-Mail | | | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this infor (b) (6), (b) (7)(C) NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes,



REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5200 Fax: (213)894-2778

August 31, 2016

(b) (6), (b) (7)(C)

Re: INTERNATIONAL UNION, SECURITY

POLICE FIRE PROFESSIONALS OF

AMERICA (SPFPA) AND LOCAL

UNION NO. 3, SPFPA (Paragon Systems, Inc.) Case 21-CB-176574

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that SECURITY POLICE FIRE PROFESSIONALS OF AMERICA LOCAL 3 has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges that the Union violated Section 8(b)(1)(A) of the Act by failing and refusing to process your termination grievance for arbitrary or discriminatory reasons or in bad faith. The investigation revealed that the Union accepted and processed your termination grievance. The evidence adduced established that the Union investigated the merits of the grievance and determined that the grievance lacked merit. As a result, the Union decided not to pursue the grievance further. Additionally, the investigation established that any evidence that the Union may have harbored any animus or hostility towards you played no role in its decision regarding your grievance. Accordingly, the investigation did not establish that the Union acted in an arbitrary, discriminatory, or bad-faith manner.

Finally, with respect to your claim that the Union took or obtained retirement benefits/funds from you for arbitrary or discriminatory reasons, or in bad faith, the investigation established that this allegation is time-barred by Section 10(b) of the Act inasmuch as you were aware that money was missing from your 401(k) account in October 2013. Thus, based on the investigation, it has been concluded that further proceedings on the charge are not warranted.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlrb.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

INTERNATIONAL UNION, SECURITY
POLICE FIRE PROFESSIONALS OF
AMERICA (SPFPA) AND LOCAL UNION
NO. 3, SPFPA
(Paragon Systems, Inc.)
Case 21-CB-176574

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at www.nlrb.gov, click on E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date: The appeal is due on September 14, 2016. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than September 13, 2016. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before September 14, 2016.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after September 14, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to

INTERNATIONAL UNION, SECURITY - 3 - POLICE FIRE PROFESSIONALS OF AMERICA (SPFPA) AND LOCAL UNION NO. 3, SPFPA (Paragon Systems, Inc.) Case 21-CB-176574

keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/WILLIAM M. PATE Acting Regional Director

Enclosure

cc: PARAGON SYSTEMS, INC. 750 TERRADO PLAZA, #103 COVINA, CA 91723-3419

> MICHAEL J. AKINS, ATTORNEY AT LAW GREGORY, MOORE, JEAKLE & BROOKS, P.C. 65 CADILLAC SQUARE, SUITE 3727 DETROIT, MI 48226-2893

> SECURITY POLICE FIRE PROFESSIONALS OF AMERICA LOCAL 3 PO BOX 14148 VAN NUYS, CA 91409-4148

WMP/fb

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

| National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001 |
|--|
| Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in |
| INTERNATIONAL UNION, SECURITY POLICE FIRE PROFESSIONALS OF AMERICA (SPFPA) AND LOCAL UNION NO. 3, SPFPA (Paragon Systems, Inc.) |
| Case Name(s). |
| Case 21-CB-176574 |
| Case No(s). (If more than one case number, include all case numbers in which appeal is taken.) |
| |
| (Signature) |
| |

INTERNET FORM NLRB-508 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST LABOR ORGANIZATION

21-CB-190384

DO NOT WRITE IN THIS SPACE Date Filed 12/21/16

FORM EXEMPT UNDER 44 U.S.C 3512

OR ITS AGENTS

| 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST W | HICH CHARGE IS BROUGH | łT | |
|--|--|-----------------------------|--|
| a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) and its local 52 | b. Union Representative to contact Michael J. Akins, Attorney | | |
| c. Address (Street, city, state, and ZIP code) 25510 Kelly Rd | d. Tel. No. 313-964-5600 | e. Cell No. 810-287-9535 | |
| Roseville, MI 48066-4994 | f. Fax No. | g. e-Mail | |
| | 313-964-2125 | mike@unionlaw.net | |

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (3) and all other subsections that apply of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Failure to bargain in good faith. Failure to respond to information requests, failure to provide information requested, and/or delay in providing information requested. Requests made include but are not limited to: October 23, 2016, November 3, 2016, November 14, 2016, a second request on November 14, 2016, and December 21, 2016. Refusal to Bargain: The Union conditioned future negotiations on engagement of FMCS mediator. The Union lied to FMCS mediator that Company had agreed to engage FMCS mediator.

| 3. Name of Employer | | 4a. Tel. No. 801-693-2602 | | b. Cell No. 808-221-0909 |
|---|--|------------------------------|---|--|
| Management & Training Corporation ("MTC") | | c. Fax No. | | d. e-Mail martha.amundsen@mtctrains.c |
| · · · · · · · · · · · · · · · · · · · | | 801-693-2 | 900 | om |
| 5. Location of plant involved (street, city, state and ZIP code) 1572 Gateway Rd., P.O. Box 1890 | | | 6. Employ | yer representative to contact |
| Calexico, CA 92231 | | | Martha | J. Amundsen |
| 7. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service | | or service | 9. Number of workers employed | |
| Immigration & Customs Enforcement Detention Center Detention | | | Approximately 9,000 | |
| 801-6 | | 11a. Tel. No. 801-693-2 | 1 | |
| Martha J. Amundsen, Labor and Employment Counsel, MTC | | c. Fax No. | | d. e-Mail |
| 11. Address of party filing charge (street, city, state and ZIP code.) 500 North Marketplace Dr., Centerville, UT 84014 | | 801-693-2 | 900 | |
| | | | | |
| I declare that I have read he above change and that the statements therein are true to the pector my moviedge and belief | | | Tel. No. 801-693-2602 | |
| By MAICTHAT J. ALLIUNDSEN MAINT I ACOUR AND EMILLOUMENT I Signature of representative or person making charge) (Print/type name and title or diffice, if any) | | 4 | Cell No. 808-221-0909 | |
| Cour | 1662, MTC | Fax | | 93-2900 |
| Address | 500 North Marketplace Dr., Centerville, UT 84014 e-Mail martha.amundsen@mt | | amundsen@mtctrains.com | |
| WILL SUIL CALCE STATEMENTS ON THE OLVERS ON THE | | | | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) **PRIVACY ACT STATEMENT**

Solicitation of the Information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seç. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this Information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION

OR ITS AGENTS

| DO NOT WRITE IN THIS SPACE | | | | |
|----------------------------|------------|--|--|--|
| Case | Date Filed | | | |
| 21-CB-190384 | 01-25-2017 | | | |

NSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1. LABOR ORGAN | ZATION OR ITS | AGENTS AGAINST WI | HICH CHARGE IS | BROUGH | T |
|---|--|--|--|---|--|
| . Name Iternational Union, Security, Police and Fire Professionals of America SPFPA) and its local 52 | | b. Union Representative to contact Michael J. Akins, Attorney | | | |
| c. Address (Street, city, state, and ZIP code) 25510 Kelly Rd. | | | d. Tel. No. 313-964-5 | 600 | e. Cell No. 810-287-9535 |
| Roseville, MI 48066-4994 | | | f. Fax No. | | g. e-Mail |
| | | | 313-964-2 | 125 | mike@unionlaw.net |
| h. The above-named organization(s) or its agents has subsection(s) (list subsections) (3) and all othe are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization A | neaning of the A | in and is (are) engaging that apply _ of the ct, or these unfair labor p | in unfair labor prac National Labor Re practices are unfair | tices withi ations Ac practices | n the meaning of section 8(b), i, and these unfair labor practices affecting commerce within the |
| 2. Basis of the Charge (set forth a clear and concise Failure to bargain in good faith. Failure to delay in providing information requested. Factor 2016, November 3, 2016, November 14, 20 to Bargain and/or Failure to Bargain in Good mediator; The Union lied to FMCS that the Committee Representative failed to recognished directly deal with bargaining unit members. | respond to in Requests mad 016, a second of Faith: The Company had ize the Comp | formation requests, de include, but are r d request on Novem Union conditioned ad agreed to engago | failure to provide to limited to: On the 14, 2016, a future negotiation of FMCS median | de inforrectober 2 and Decons on etcor and; | 3, 2016, October 27, ember 21, 2016. Refusal engagement of FMCS A Union Negotiating |
| 3. Name of Employer | | | 4a. Tel. No. 801-693-2 | 602 | b. Cell No. 808-221-0909 |
| Management & Training Corporation ("MT | C") | | c. Fax No. 801-693-2 | 900 | d. e-Mail martha.amundsen@mtctrains.c om |
| 5. Location of plant involved (street, city, state and 2 1572 Gateway Rd., P.O. Box 1890 Calexico, CA 92231 | IP code) | | | | loyer representative to contact a J. Amundsen |
| 7. Type of establishment (factory, mine, wholesaler, | etc.) | 8. Identify principal pro | oduct or service | 9. Num | ber of workers employed |
| Immigration & Customs Enforcement Dete | ntion Center | Detention | | Appro | The Contraction of the Contraction of Contraction of the Contraction o |
| 10. Full name of party filing charge | | | | | ximately 9,000 |
| to van name of party ming orange | | | 11a. Tel. No 801-693-2 | | |
| Martha J. Amundsen | | | | | ximately 9,000 |
| | and ZIP code.) 84014 | | 801-693-2 | 602 | b. Cell No. 808-221-0909 |
| Martha J. Amundsen | RATION ts therein are true to Labor ar rge) (Print/type MARTI | nd Employment Countries and title or office, AMUNDSE | 801-693-2 c. Fax No. 801-693-2 dd belief. cel if any) Fax | . No. 801- I No. 808 (No. 801 | b. Cell No. 808-221-0909 d. e-Mail |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5200

Fax: (213)894-2778

February 23, 2017

MARTHA AMUNDSEN, LABOR AND EMPLOYMENT COUNSEL, MTC MANAGEMENT & TRAINING CORPORATION 500 N MARKET PLACE DR CENTERVILLE, UT 84014

Re: INTERNATIONAL UNION, SECURITY

POLICE AND FIRE PROFESIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52

(Management & Training Corporation

"MTC")

Case 21-CB-190384

Dear Ms. Amundsen:

We have carefully investigated and considered your charge that INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52 has violated the National Labor Relations Act.

Decision to Partially Dismiss: Based on that investigation, I have decided to dismiss the portions of your charge alleging that the Union failed to provide or delayed in providing information requested on October 27, 2016, November 3 and 14, 2016, and December 21, 2016; and the portions of your charge alleging that the Union unlawfully conditioned future negotiations on the engagement of an FMCS mediator; that the Union lied to the FMCS by stating that the Employer had agreed to engage an FMCS mediator; and that the Union failed to recognize the company-appointed labor representative when a Union negotiating committee representative solicited the Employer to directly deal with bargaining unit members. In this regard, the investigation failed to establish that the Union's failure to respond to the Employer's October 27, 2016 request for a list of Union stewards was unlawful. It does not appear that there were any designated Union stewards at the time and the relevance for this request was not communicated to the Union. As to the November 3 and 14, 2016 emails in which the Employer asked the Union if it was the Union's position that it would not negotiate without a mediator, the Union's failure to provide its position in response to this question does not constitute an unlawful failure to provide information. With respect to the Employer's November 14, 2016 request for a copy of the Union's email to the FMCS mediator in which the Union allegedly advised the mediator that the Employer believed mediation would be advantageous in negotiations, it does not appear that this information is relevant or necessary to the Employer's collective bargaining functions. Finally, the December 21, 2016 request was a reminder concerning the outstanding requests described above, and not a separate request for other information that the Union failed to provide.

INTERNATIONAL UNION, SECURITY
POLICE AND FIRE PROFESIONALS OF
AMERICA (SPFPA) AND ITS LOCAL 52
(Management & Training Corporation
"MTC")
Case 21-CB-190384

As to the allegations that the Union conditioned future negotiations on the engagement of a mediator and lied to the FMCS by stating that the Employer had agreed to mediation, the investigation disclosed that while the Union stated in a November 3, 2016 email that future negotiations would depend on the availability of a mediator, the Employer rejected the use of a mediator and the Union has not since reiterated this stance or otherwise insisted on the presence of a mediator in negotiations. Finally, as to the allegation that the Union unlawfully failed to recognize the Employer's labor representative and solicited the Employer to engage in direct dealing with unit members, the investigation disclosed that while an employee bargaining committee member asked the Employer for a meeting to discuss the upcoming shift rotation, the Employer denied that request, that no such meeting was held, and that the Employer and Union discussed and exchanged proposals over the matter subsequent to the employee's request. Accordingly, it was concluded that further proceedings on these allegations are not warranted.

The other portion of the charge, alleging that the Union failed to provide the Employer with information requested on October 23, 2016, in violation of Section 8(b)(3), remains outstanding.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlrb.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at www.nlrb.gov, click on E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date: The appeal is due on March 9, 2017. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than March 8, 2017. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before March 9, 2017.** The request may be filed

INTERNATIONAL UNION, SECURITY
POLICE AND FIRE PROFESIONALS OF
AMERICA (SPFPA) AND ITS LOCAL 52
(Management & Training Corporation
"MTC")
Case 21-CB-190384

electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after March 9, 2017, even if it is postmarked or given to the delivery service before the due date. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/WILLIAM B. COWEN Regional Director

Enclosure

cc: WILLIAM L. HICKEY, INTERNATIONAL PRESIDENT INTERNATIONAL UNION, SECURITY POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52 25510 KELLY DR. ROSEVILLE, MI 28066

GORDON A. GREGORY, ATTORNEY AT LAW. GREGORY, MOORE, JEAKLE & BROOKS, P.C. INTERNATIONAL UNION, SPFPA 65 CADILLAC SQUARE, SUITE 3727 DETROIT, MI 48226-2822

MANAGEMENT & TRAINING CORPORATION ("MTC") 1572 GATEWAY RD CALEXICO, CA 92231-9532

WBC/fb

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

| Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001 | |
|--|--|
| Please be advised that an appeal is here National Labor Relations Board from the action issue a complaint on the charge in | • |
| Case Name(s). | |
| Case No(s). (If more than one case number, included taken.) | lude all case numbers in which appeal is |
| | (Signature) |



OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

April 19, 2017

MARTHA AMUNDSEN, LABOR AND EMPLOYMENT COUNSEL, MTC MANAGEMENT & TRAINING CORPORATION 500 N MARKET PL DR CENTERVILLE, UT 84014

Re: International Security Police and Fire

Professionals of America (SPFPA) and its

Local 52 (Management & Training

Corporation ("MTC") Case 21-CB-190384

Dear Ms. Amundsen:

Your appeal from the Regional Director's partial refusal to issue complaint has been carefully considered. The appeal is denied. You assert that the Union violated Section 8(b)(3) of the National Labor Relations Act by not informing the Employer that no information existed that was responsive to the Employer's information request. Specifically, the Employer asked for a list of stewards, and the Union did not inform the Employer that no stewards had been appointed.

Section 8(b)(3) of the Act holds that it is unlawful for a union to refuse to bargain collectively with an employer. Under this section, a union has a duty to provide information to an employer that is relevant to the collective bargaining relationship between the parties. Information about terms and conditions of employment is presumptively relevant and must be provided upon request. *Iron Workers Local 207 (Steel Erecting Contractors)*, 319 NLRB 87, 90-91 (1995). Unions must provide information to a requesting employer that is relevant to the policing or administration of the parties' collective bargaining agreement. *Teamsters Local 500 (Acme Markets)*, 340 NLRB 251, 252- 253 (2003). Unions must also provide information that is relevant for the purpose of contract negotiations. *Washington Beef, Inc.*, 328 NLRB 612, 617-618 (1999). A union must respond to a relevant information request in a timely manner. *Woodland Clinic*, 331 NLRB 735, 736 (2000). This obligation includes a requirement to inform the employer that the requested information does not exist. See *Postal Service*, 332 NLRB 635, 638-639 (2000).

Here, the evidence failed to establish that a list of stewards was relevant to the employees' terms and conditions of employment, or that the information was relevant for the purpose of contract negotiations. In this regard, insufficient evidence was presented to establish that the parties were bargaining over any provisions relating to stewards or to the representation

International Union, Security Police and Fire Professionals of America (SPFPA) and its Local 52 (Management & Training Corporation ("MTC")
Case 21-CB-190384

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of employees during investigatory meetings. Further, the parties do not have a collective bargaining agreement. Therefore, the Employer did not need the information in order to administer any provisions of such agreement. You have asserted that the list of stewards was relevant because it would allow the Employer to comply with employees' statutory right to refuse to submit without union representation to an investigatory interview. This statutory right inheres in Section 7 of the Act, which guarantees the right of employees to act in concert for "mutual aid and protection." *NLRB v. J. Weingarten*, 420 U.S. 251, 256 – 257 (1975). Thus, the Employer is seeking the list of stewards to comply with employees' Section 7 rights and not in furtherance of the parties' collective bargaining relationship. Therefore, the evidence fails to establish that the Union has an obligation to provide such information to the Employer under Section 8(b)(3) of the Act.

In the appeal, you allude to a Section 8(b)(3) case filed in another Regional Office. We have reviewed that case and determined that its facts are dissimilar to the facts in the instant case. In the instant case, the parties do not have a collective bargaining agreement. Thus, we could not conclude that the Union had an obligation to provide the information. Accordingly, further proceedings on this allegation were deemed unwarranted.

Sincerely,

Richard F. Griffin, Jr. General Counsel

By:

Mark E. Arbesfeld, Acting Director Office of Appeals

Mark E. Albertell

cc: WILLIAM B. COWEN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
888 S FIGUEROA ST FL 9
LOS ANGELES, CA 90017-5449

WILLIAM L. HICKEY
INTERNATIONAL PRESIDENT
INTERNATIONAL UNION, SECURITY POLICE
AND FIRE PROFESSIONALS OF AMERICA
(SPFPA) AND ITS LOCAL 52
25510 KELLY DR
ROSEVILLE, MI 28066

International Union, Security Police and Fire Professionals of America (SPFPA) and its Local 52 (Management & Training Corporation ("MTC") Case 21-CB-190384

-3

MICHAEL J. AKINS, ESQ. GREGORY, MOORE, JEAKLE & BROOKS, P.C. INTERNATIONAL UNION, SPFPA 65 CADILLAC SQ STE 3727 DETROIT, MI 48226-2822 MANAGEMENT & TRAINING CORPORATION ("MTC") 1572 GATEWAY RD CALEXICO, CA 92231-9532

kh



OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

May 25, 2017

MARTHA AMUNDSEN LABOR AND EMPLOYMENT COUNSEL MANAGEMENT & TRAINING CORPORATION 500 N MARKET PLACE DR CENTERVILLE, UT 84014

Re: International Union, Security Police and

Fire Professionals of America (SPFPA) and

its Local 52 (Management & Training

Corporation ("MTC")) Case 21-CB-190384

Dear Ms. Amundsen:

We have carefully reviewed your April 28, 2017 Motion for Reconsideration of our April 19, 2017 decision denying the appeal in this case. We conclude that a departure from our original decision is unwarranted because the evidence is insufficient to establish a violation of Section 8(b)(3) of the National Labor Relations Act.

The evidence established that on November 24, 2015 the Union was certified as the collective bargaining representative of the Employer's detention officers. Thereafter, the parties engaged in bargaining for an initial contract. On October 27, 2016, the Employer requested a list of the names of the Union's stewards. No evidence was submitted to establish that during this time period the subject of stewards or investigatory interviews were discussed at the bargaining table. Further, the Employer did not provide the Union with an explanation for its blanket request for the names of the stewards, nor did the Employer provide any context for this request. The Union did not reply to the Employer's October 27th request for information. As stated in our denial of the appeal, we concluded that at the time of the request, the evidence showed that the parties did not have an existing contract, were not negotiating over the subject of stewards or investigatory interviews and did not have any stewards at the time of the request. Based on these specific facts, unlike the cases cited in your motion, we concluded that the relevancy of the Employer's information request to any term and condition of employment or specific contract provision was not communicated to the Union.

We conclude that *Piggly Wiggly Midwest*, 357 NLRB 2344 (2012) is distinguishable from the instant case. In that case, the circumstances surrounding the union's information request made its relevancy obvious to the employer. Here, the circumstances fail to demonstrate the requested information's relevance to the scope of the parties' bargaining obligations. Furthermore, we conclude that *Total Security Management*, 364 NLRB No.106 (2016) is not applicable to the instant case. You have not demonstrated how an employer's obligation to bargain over the issuance of discretionary discipline in the context of a newly certified unit is

International Union, Security Police and Fire Professionals of America (SPFPA) and its Local 52 (Management & Training Corporation ("MTC"))
Case 21-CB-190384

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analogous the facts in the instant case. Therefore, we conclude that the Union did not violate Section 8(b)(3) of the Act by not replying to the Employer's request for information.

Also, in your motion, you assert that the disposition of a Section 8(b)(3) case in another Regional Office required the finding of merit in the instant case. A review of the other case established that the parties had expired collective bargaining agreements, each of which contained a specific provision requiring the union to provide the employer with the written names of the stewards. Thus, the administration of the expired contacts required the union to provide the requested information. The instant case presents a different fact situation. Here, the evidence does not show that there is an expired or extant contract that the parties are administering.

Accordingly, we deny your motion and this charge allegation remains closed.

Sincerely,

Richard F. Griffin, Jr. General Counsel

By:

Mark E. Arbesfeld, Acting Director Office of Appeals

Mark E. Alberteld

cc: WILLIAM B. COWEN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
888 S FIGUEROA ST FL 9
LOS ANGELES, CA 90017-5449

MANAGEMENT & TRAINING CORPORATION ("MTC") 500 N. MARKETPLACE PO BOX 10 CENTERVILLE, UT 84014-0010 WILLIAM L. HICKEY
INTERNATIONAL PRESIDENT
INTERNATIONAL UNION, SECURITY
POLICE AND FIRE PROFESSIONALS OF
AMERICA (SPFPA) AND ITS LOCAL 52
25510 KELLY DR
ROSEVILLE, MI 28066

MICHAEL J. AKINS, ESQ. GREGORY, MOORE, JEAKLE & BROOKS, P.C. INTERNATIONAL UNION, SPFPA 65 CADILLAC SQ STE 3727 DETROIT, MI 48226-2822

UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD SETTLEMENT AGREEMENT

IN THE MATTER OF

INTERNATIONAL UNION, SECURITY POLICE AND FIRE PROFESIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52 (MANAGEMENT & TRAINING CORPORATION)

Case 21-CB-190384

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:

POSTING OF NOTICE — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English only. Charged Party Region 3 Director Ryan J. Kelly will then sign and date those Notices and immediately post them in the Charged Party's offices located at 25510 Kelly Road, Roseville, Michigan. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting. Further, if the Charged Party maintains bulletin boards at the facility of the Employer where the alleged unfair labor practices occurred, the Charged Party shall also post Notices on each such bulletin board during the posting period. The Regional Director will send copies of the signed Notices to the Employer whose employees are involved in this case, and request that the Notices be posted in prominent places in the Employer's facility for 60 consecutive days from the date of posting. It is expressly understood that noither a copy of this Agreement nor any other side notice referencing this Agreement shall be physically posted adjacent to the Board's Notices.

MAILING OF NOTICE — The Charged Party will also copy and mail, at its own expense, a copy of the attached Notice in English to all members and employees who have worked at the facility located at 1572 Gateway Road, Calexico since on or about October 23, 2016. Those Notices will be signed by Ryan J. Kelly, Region 3 Director, and show the date of mailing. The Charged Party will provide the Regional Director with written confirmation of the date of mailing and a list of names and addresses of employees to whom the Notices were mailed. It is expressly understood that neither a copy of this Agreement nor any other side notice referencing this Agreement shall be sent along with the Board's Notices that are mailed to the members and employees.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

NON-ADMISSION CLAUSE — By entering into this Settlement Agreement, the Charged Party does not admit that it has violated the National Labor Relations Act.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees and Members made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve

912X/17

the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes AAA No Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees and Members, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Party understands and agrees that all of the allegations of the Complaint will be deemed admitted and that it will have waived its right to file an Answer to such Complaint. The only issue that the Charged Party may raise before the Board will be whether it defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees and Members. The Board may then, without necessity of trial or any other proceeding. find all allegations of the Complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Board may then issue an Order providing a full remedy for the violations found as is appropriate to remedy such violations. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Bourd Order ex parte, after service or attempted service upon Charged Party at the last address provided to the General Counsel.

0/19/17

NOTIFICATION OF COMPLIANCE.— Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

| Charged Party INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52 | | Charging Party MANAGEMENT & TRAINING CORPORATION | | |
|--|--------------|--|--|--|
| By: Name and Title | Date | By: Name and Title Date | | |
| Sund Manual Sunday Print Name and Title below HOROUN A. STREGORY, SAFRA GENERAL COUNSE | 3/28/17 - | Print Name and Title below | | |
| Recommended By: | Date | Approved By: Date | | |
| I be seld | 6/14/17 | Wall-1/1 4/1/2017 | | |
| DAVID SELDER | , , | WILLIAM B. COWEN | | |
| Field Examiner | | Regional Director, Region 21 | | |

(To be printed and posted on official Board notice form)

FEDERAL LAW GIVES YOU THE RIGHT TO:

- · Form, join, or assist a union;
- Choose a representative to bargain with your employer on your behalf;
- Act together with other employees for your benefit and protection;
- · Choose not to engage in any of these protected activities.

WE WILL NOT refuse to provide MANAGEMENT & TRAINING CORPORATION (EMPLOYER) with information that is relevant and necessary to its collective bargaining functions for employees in the following appropriate unit:

Included: All full-time and regular part-time armed and unarmed detention officers employed by the Employer at 1572 Gateway Drive, Calexico, California 92231.

Excluded: All sergeants, lieutenants, office clerical employees, professional employees, managerial employees, and supervisors as defined by the Act.

WE WILL provide the EMPLOYER with the information it requested in a letter signed by Martha J. Amundsen, Labor and Employment Counsel, that was addressed to Region 3 Director Ryan J. Kelly, which is entitled MTC Information Request as to Union Proposed Benefits, that is dated October 23, 2016.

WE WILL NOT in any like or related manner act in derogation of our statutory duty to bargain with the EMPLOYER on behalf of our members.

INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52

(b) (6), (b) $(7)(C)^{(1)}$

Dated: March 20, 2017

By:

(b) (6), (b) (7)(C)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to

6199 13/28/17 file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-866-667-NLRB (1-866-667-6572). Hearing impaired persons may contact the Agency's TTY service at 1-866-315-NLRB. You may also obtain information from the Board's website; www.nlrb.gov.

888 S Figueron St Fl 9 Los Angeles, CA 90017-5449 Telephone: (213)894-5200

Hours of Operation: 8:30 a.m. to 5 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.

685 m/28/m

UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 21 888 S Figueroa Street, 9th Floor Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5200 Fax: (213)894-2778

September 5, 2018

GORDON A. GREGORY, ATTORNEY AT LAW GREGORY, MOORE, JEAKLE & BROOKS 65 CADILLAC SQUARE, SUITE 3727 DETROIT, MI 48226-2893

Re: INTERNATIONAL UNION, SECURITY

POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS

LOCAL 52 (Management & Training

Corporation ("MTC") Case 21-CB-190384

Dear Mr. Gregory:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

Nathan Seidman Acting Regional Director

cc: (Please see next page)

INTERNATIONAL UNION, SECURITY - 2 - POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52 (Management & Training Corporation ("MTC") Case 21-CB-190384

cc: WILLIAM L. HICKEY,
INTERNATIONAL PRESIDENT
INTERNATIONAL UNION,
SECURITY, POLICE AND FIRE
PROFESSIONALS OF AMERICA
(SPFPA)
25510 KELLY DR.
ROSEVILLE, MI 28066

MARTHA AMUNDSEN, LABOR AND EMPLOYMENT COUNSEL, MTC MANAGEMENT & TRAINING CORPORATION 500 N MARKET PLACE DR CENTERVILLE, UT 84014

MANAGEMENT & TRAINING CORPORATION ("MTC") 500 N. MARKETPLACE PO BOX 10 CENTERVILLE, UT 84014-0010

NS/nm

INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT UNDER 44 U.S.C 3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

DO NOT WRITE IN THIS SPACE

Case Date Filed

Fax No.

e-Mail

801-693-2900

martha.amundsen@mtctrains.com

21-CB-210102

11-16-2017

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring. 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT b. Union Representative to contact International Union, Security, Police and Fire Professionals of America Gordon Gregory, General Counsel (SPFPA) and its local 52 65 Cadillac Square, Suite 3727 Detroit, MI 48226 d. Tel. No. e. Cell No. c. Address (Street, city, state, and ZIP code) 313-964-5600 25510 Kelly Rd. f. Fax No. g. e-Mail Roseville, MI 48066-4994 313-964-2125 gordon@unionlaw.net h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Failure to bargain in good faith and failure to confer. Failure to respond to information requests made initially on or about October 4, 2017, and October 18, 2017. The Union has also engaged in bad-faith bargaining by making frivolous, unnecessary and irrelevant information requests to harass the Employer. 4a. Tel. No. b. Cell No. 3. Name of Employer 808-221-0909 801-693-2602 c. Fax No. Management & Training Corporation ("MTC") d. e-Mail martha.amundsen@ mtctrains.com 801-693-2900 Location of plant involved (street, city, state and ZIP code)
 1572 Gateway Rd., P.O. Box 1890 Employer representative to contact Calexico, CA 92231 Martha J. Amundsen 7. Type of establishment (factory, mine, wholesaler, etc.) 8. Identify principal product or service 9. Number of workers employed Approximately 9,000 US Immigration & Customs Enforcement Detention Ctr Federal Detention Services 11a. Tel. No. b. Cell No. 10. Full name of party filing charge 801-693-2602 808-221-0909 Martha J. Amundsen, Labor and Employment Counsel c. Fax No. d. e-Mail 11. Address of party filing charge (street, city, state and ZIP code.) 801-693-2900 500 North Marketplace Dr., Centerville, UT 84014 12. DECLARATION 801-693-2602 Cell No. 808-221-0909 signature of representative of person making charge) (Print/type name and title or office, if any)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 21 888 S Figueroa St FI 9 Los Angeles, CA 90017-5449 Agency Website: www.nlrb.gov Telephone: (213)894-5200

Fax: (213)894-2778

December 5, 2017

MR. GORDON A. GREGORY, ATTORNEY AT LAW GREGORY, MOORE, JEAKLE & BROOKS, P.C. 65 CADILLAC SQUARE, SUITE 3727 DETROIT, MI 48226-2893

Re: INTERNATIONAL UNION, SECURITY,

POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52 (Management & Training

Corporation)

Case 21-CB-210102

Dear Mr. Gregory:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/WILLIAM B. COWEN Regional Director

cc: MARTHA AMUNDSEN, LABOR AND EMPLOYMENT COUNSEL, MTC MANAGEMENT & TRAINING CORPORATION 500 N MARKET PLACE DR CENTERVILLE, UT 84014

MANAGEMENT & TRAINING CORPORATION ("MTC") 1572 GATEWAY RD CALEXICO, CA 92231-9532

INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA)AND ITS LOCAL 52 25510 KELLY RD ROSEVILLE, MI 48066-4994

WBC/mr

INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT UNDER 44 U.S.C.3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| DO NOT WRITE IN THIS SPACE | | |
|----------------------------|-----------------------|--|
| Case 21-CB-234136 | Date Filed 01-14-2019 | |

| INSTRUCTIONS: File an original with NLRB Regional Director for the | region in which the alleged u | ntair labor pra | ctice occurre | ed or is occurring. |
|---|------------------------------------|-------------------|--|----------------------------------|
| LABOR ORGANIZATION OR ITS | AGENTS AGAINST WHICH | | | |
| a. Name | | b. Union Rep | presentative | to contact |
| Chula Vista Police Officers Association | | (b) (6), (b) (7)(| C) | |
| | | Title: (b) (6). (| b) (7)(C) | |
| | | | | |
| c. Address (Street, city, state, and ZIP code) | | d. Tel. No. | | e. Cell No. |
| PO Box 848 | | (619) 691-5 | 151 | |
| CA Chula Vista 91912-0848 | | f. Fax No. | | g. e-Mail |
| | | | | (b) (6), (b) (7)(C) |
| h. The above-named organization(s) or its agents has (have) engaged | | | | |
| subsection(s) (list subsections) (1)(A), (3) are unfair practices affecting commerce within the meaning of the Ac | of the Natio | onal Labor Re | lations Act, a | and these unfair labor practices |
| meaning of the Act and the Postal Reorganization Act. | t, or these uritali labor practi | ces are urran | practices an | lecting commerce within the |
| 2. Basis of the Charge (set forth a clear and concise statement of the | facts constituting the alleged | d unfair labor p | practices) | 9 |
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| See additional page | | | | |
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| Name of Employer | | 4a. Tel. No. | ű. | b. Cell No. |
| City of Chula Vista | | | | |
| | | c. Fax No. | | d. e-Mail |
| | | | | krogan@chulavistaca.gov |
| 5. Location of plant involved (street, city, state and ZIP code) | | | 6. Employ | er representative to contact |
| Chula Vista City Attorney's Office 276 4th Ave | | | Karen Ro | gan |
| CA Chula Vista 91910-2699 | | | Title: | |
| 7. Type of establishment (factory, mine, wholesaler, etc.) | 8. Identify principal product | or service | 9. Numbe | r of workers employed |
| | | | | |
| Full name of party filing charge | | 11a. Tel. No | i. | b. Cell No. |
| (b) (6), (b) (7)(C) | | (b) (6), (b) (7) | (C) | |
| CANALI CANALI | | c. Fax No. | | d. e-Mail |
| 11. Address of party filing charge (street, city, state and ZIP code.) | | | | (b) (6), (b) (7)(C) |
| , indicate of party iming artinge (allows, only, state and 211 code.) | · | b. | - : | |
| (b) (6), (b) (7)(C) | | | | |
| 12. DECLARATION I declare that I have read the above charge and that the statements therein are true to the statement of the | the hest of my knowledge and helic | | No. (b) (6), (b | o) (7)(C) |
| (b) (6) (b) (7)(C) | (b) (6), (b) (7)(C) | | No. | 7(., (-) |
| Dy | name and title or office, if any | _ | | |
| (i illiotype i | Title: | | No. | |
| (b) (6) (b) (7)(C) | | | 1_3 | |
| (b) (6), (b) (7)(C) | 04/43/204 | e-M | AND THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IN COLUM | , (b) (7)(C) |
| Address | (date) 01/13/201 | J 21.1J.18 | (b) (d) | , (b) (1)(C) |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights

protected by Section 7 of the Act by threatening to retaliate against employees if they did not join or support the union.

| Name of the Union Agent/Representative who made the threat | Date the threats were made |
|--|----------------------------|
| multiple | multiple |

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

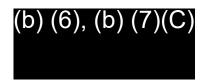
8(b)(3)

Within the previous six months, the above-named labor organization has failed and refused to bargain in good faith with the employer.

REGION 21
US Court House, Spring Street
312 N Spring Street, 10th Floor
Los Angeles, CA 90012

Agency Website: www.nlrb.gov Telephone: (213)894-5200 Fax: (213)894-2778

February 7, 2019



Re: Chula Vista Police Officers Association

(City of Chula Vista) Case 21-CB-234136

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that Chula Vista Police Officers Association has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because of the Board's lack of jurisdiction over this case. Moreover, your evidence does not set forth any matter cognizable under the National Labor Relations Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlrb.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on February 21, 2019. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 20, 2019. If an appeal is postmarked or given to a

delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 21, 2019.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 21, 2019, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

William B. Cowen Regional Director

Enclosure

cc: (b) (6), (b) (7)(C)

Chula Vista Police Officers Association PO Box 848 Chula Vista, CA 91912-0848

City of Chula Vista Chula Vista City Attorney's Office 276 4th Ave Chula Vista, CA 91910-2699

WBC/fb

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

| Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001 | |
|--|---|
| Please be advised that an appeal is here National Labor Relations Board from the action issue a complaint on the charge in | |
| Case Name(s). | |
| Case No(s). (If more than one case number, inclutaken.) | ude all case numbers in which appeal is |
| | (Signature) |

INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT UNDER 44 U.S.C 3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| DO NOT WRITE IN THIS SPACE | |
|----------------------------|--|
| Date Filed | |
| 01-14-2019 | |
| | |

| INSTRUCTIONS: File an original with NLRB Regional Director for the | region in which the alleged u | ntair labor pra | ictice occurre | ed or is occurring. |
|--|--|--------------------|--|----------------------------------|
| 1. LABOR ORGANIZATION OR ITS | AGENTS AGAINST WHICH | CHARGE IS | BROUGHT | |
| a. Name | | b. Union Rep | presentative | to contact |
| Chula Vista Police Officers Association | | (b) (6), (b) (7)(| C) | |
| | | Title: (b) (6). (| b) (7)(C) | |
| | | | | |
| c. Address (Street, city, state, and ZIP code) | | d. Tel. No. | | e. Cell No. |
| PO BOX 848 | | (619) 691-5 | 151 | |
| CA Chula Vista 91912- | | f. Fax No. | | g. e-Mail |
| - | | | | (b) (6), (b) (7)(C) |
| h. The above-named organization(s) or its agents has (have) engaged | in and is (are) engaging in un | fair labor prac | tices within t | he meaning of section 8(b), |
| subsection(s) (list subsections) (1)(A), (3), (2) | of the Natio | onal Labor Re | lations Act, a | and these unfair labor practices |
| are unfair practices affecting commerce within the meaning of the Ameaning of the Act and the Postal Reorganization Act. | ct, or these untail labor practi | ces are untair | practices an | recting commerce within the |
| Basis of the Charge (set forth a clear and concise statement of the | e facts constituting the allege | d unfair labor | practices) | 7 |
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| 3. Name of Employer | | 4a. Tel. No. | N. | b. Cell No. |
| City of Chula Vista | | c. Fax No. | | d. e-Mail |
| | | \$70 because 50.50 | | krogan@chulavistaca.gov |
| | | | | ogan@onaariotaoa.gov |
| Location of plant involved (street, city, state and ZIP code) | | | The second secon | er representative to contact |
| Chula Vista City Attorney's Office 276 4th Ave | | | Karen Ro | gan |
| CA Chula Vista 91910-2699 | | | Title: | 10 |
| 7. Type of establishment (factory, mine, wholesaler, etc.) | 8. Identify principal product | or service | 9. Numbe | r of workers employed |
| | | | Į, | |
| 10. Full name of party filing charge | | 11a. Tel. No | l | b. Cell No. |
| (b) (6), (b) (7)(C) | | (b) (6), (b) (7) | (C) | |
| | | c. Fax No. | | d. e-Mail |
| 11. Address of party filing charge (street, city, state and ZIP code.) | | | | (b) (6), (b) (7)(C) |
| (b) (6), (b) (7)(C) | | | | |
| | | | | |
| 12. DECLARATION | | | No. (b) (6) | N/7//C) |
| I declare that I have read the above charge and that the statements therein are true to | the same and the s | | (b) (6), (b |) (r)(C) |
| By (b) (6), (b) (7)(C) | (b) (6), (b) (7)(C) | _ | No. | |
| (signature of representative or person making charge) (Print/type | name and title or office, if any | | No. | |
| <u> </u> | Title: | 10000 | | |
| (b) (6), (b) (7)(C) | | e-N | | (1) |
| Address | (date) 01/13/201 | 9 21:32:58 | (b) (6) | , (b) (7)(C) |
| ÷ | 4793 (867) | | | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by threatening to retaliate against employees if they did not join or support the union.

| Name of the Union Agent/Representative who made the threat | Date the threats were made |
|--|----------------------------|
| multiple | multiple |

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by issuing unlawful fines and or internal charges.

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by requiring nonmembers to pay dues and fees that are not related to representational activities.

8(b)(1)(A) and 8(b)(2)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by causing the employer to discriminate against an employee(s) in retaliation for failing to pay union dues.

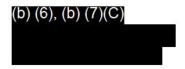
8(b)(3)

Within the previous six months, the above-named labor organization has failed and refused to bargain in good faith with the employer.

REGION 21
US Court House, Spring Street
312 N Spring Street, 10th Floor
Los Angeles, CA 90012

Agency Website: www.nlrb.gov Telephone: (213)894-5200 Fax: (213)894-2778

February 7, 2019



Re: Chula Vista Police Officers Association

(City of Chula Vista) Case 21-CB-234247

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that Chula Vista Police Officers Association has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because of the Board's lack of jurisdiction over this case. Moreover, your evidence does not set forth any matter cognizable under the National Labor Relations Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlrb.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on February 21, 2019. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 20, 2019. If an appeal is postmarked or given to a

delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 21, 2019.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 21, 2019, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

William B. Cowen Regional Director

Enclosure

cc: (b) (6), (b) (7)(C)

Chula Vista Police Officers Association PO BOX 848 Chula Vista, CA 91912

City of Chula Vista City Attorney's Office 276 Fourth Ave Chula Vista, CA 91910

WBC/fb

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

| Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001 | |
|--|---|
| Please be advised that an appeal is here National Labor Relations Board from the action issue a complaint on the charge in | |
| Case Name(s). | |
| Case No(s). (If more than one case number, inclutaken.) | ude all case numbers in which appeal is |
| | (Signature) |



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

February 25, 2019

(b) (6), (b) (7)(C)

Re: Chula Vista Police Officers Association

(City of Chula Vista) Case 21-CB-234247

Dear (b) (6), (b) (7)(C)

This office has carefully considered your appeal. We agree with the Regional Director's determination and deny the appeal substantially for the reasons in the Regional Director's letter dated March 8, 2018. You failed to articulate any evidence of alleged unlawful conduct engaged in by the Union which would be unlawful under the National Labor Relations Act. Accordingly, further proceedings herein were deemed unwarranted.

Sincerely,

Peter Barr Robb General Counsel

By:

Mark E. Arbesfeld, Director Office of Appeals

Mark E. Abestell

cc: WILLIAM B. COWEN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
US COURT HOUSE
312 N SPRING ST 10TH FL
LOS ANGELES, CA 90012

CITY OF CHULA VISTA CITY ATTORNEY'S OFFICE 276 FOURTH AVE CHULA VISTA, CA 91910 (b) (6), (b) (7)(C) CHULA VISTA POLICE OFFICERS ASSOCIATION PO BOX 848 CHULA VISTA, CA 91912

kf



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

April 10, 2019

(b) (6), (b) (7)(C)

Re: Chula Vista Police Officers Association

(City of Chula Vista) Case 21-CB-234247

Dear (b) (6), (b) (7)(C)

We are in receipt of your appeal-form filing in connection with the above-referenced case. We have reviewed this filing; to the extent this filing was intended to be a motion for reconsideration, that is, a request to reconsider our initial denial of your appeal, you have not provided us with any basis to reconsider the denial. An additional review of the file indicates that there is no basis for disturbing the decision. Accordingly, the motion is denied, and this case is considered closed.

Sincerely,

Peter Barr Robb General Counsel

By:

Mark E. Arbesfeld, Director Office of Appeals

Mark E. Abesteld

cc: WILLIAM B. COWEN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
US COURT HOUSE, SPRING ST
312 N SPRING ST 10TH FL
LOS ANGELES, CA 90012

CITY OF CHULA VISTA CITY ATTORNEY'S OFFICE 276 FOURTH AVE CHULA VISTA, CA 91910

(b) (6), (b) (7)(C)

CHULA VISTA POLICE OFFICERS ASSOCIATION PO BOX 848 CHULA VISTA, CA 91912

vrm

INTERNET FORM NLRB-508 (2-08)

FORM EXEMPT UNDER 44 U.S.C.3512

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS

| | TOTAL ENERGY TOTAL | |
|----------------------------|--------------------|--|
| DO NOT WRITE IN THIS SPACE | | |
| Case | Date Filed | |
| 21-CB-234645 | 01-22-2019 | |

| INSTRUCTIONS: File an original with NLRB Regional Director for the | region in which the alleged u | ntair labor pra | ctice occurre | ed or is occurring. |
|--|--|-------------------|--|--|
| 1. LABOR ORGANIZATION OR ITS | AGENTS AGAINST WHICH | | | |
| a. Name | | b. Union Rep | resentative i | to contact |
| San Diego Police Officers Association | | (b) (6), (b) (7 |)(C) | |
| | | Title: | | |
| | | all growth care. | | |
| c. Address (Street, city, state, and ZIP code) | | d. Tel. No. | TO 10 | e. Cell No. |
| 8388 Vickers St | | (858) 573-11 | 199 | |
| CA San Diego 92111 | | f. Fax No. | | g. e-Mail |
| _ | | | | thoskins@pd.sandiego.gov |
| h. The above-named organization(s) or its agents has (have) engaged | | | | |
| subsection(s) (list subsections) (1)(A), (2), (3) are unfair practices affecting commerce within the meaning of the A | of the Natio | onal Labor Rel | ations Act, a | and these unfair labor practices |
| meaning of the Act and the Postal Reorganization Act. | ct, or these utilali labor practi | ces are urrian | practices an | ecung commerce within the |
| 2. Basis of the Charge (set forth a clear and concise statement of the | e facts constituting the alleged | d unfair labor p | oractices) | |
| 5 % | | | 10 | |
| w www s | | | | |
| See additional page | | | | |
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| | | | | |
| Name of Employer | | 4a. Tel. No. | | b. Cell No. |
| Multiple Employers | | | | |
| | | c. Fax No. | | d. e-Mail |
| | | | | |
| Location of plant involved (street, city, state and ZIP code) | | | 6. Employ | er representative to contact |
| Community Research Foundation 1202 MORENA BLVD #300 | | | Christine | |
| CA SAN DIEGO 92110 | | | Title: | |
| 7. Type of establishment (factory, mine, wholesaler, etc.) | 8. Identify principal product | or service | 9. Numbe | r of workers employed |
| AND CAPTURE TO CONTRACT OF THE | | | SHORT DESCRIPTIONS OF | S STANDON'S STANDARD CONTROL OF LAST AND |
| 10. Full name of party filing charge | | 11a. Tel. No. | 1 | b. Cell No. |
| AND | | (b) (6), (b) (7)(| Service Control of the Control of th | (b) (6), (b) (7)(C) |
| (b) (6), (b) (7)(C) | | c. Fax No. | | d. e-Mail |
| 44 Addison for the First boson (4.1.2.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1. | | | | (b) (6), (b) (7)(C) |
| 11. Address of party filing charge (street, city, state and ZIP code.) | ! | | | M: |
| (b) (6), (b) (7)(C) | | | | |
| 12. DECLARATION | | Tel. | | |
| I declare that I have read the above charge and that the statements therein are true to | arma rama and a same and a same a | | (b) (6), (b |) (7)(C) |
| By (b) (6), (b) (7)(C) | (b) (6), (b) (7)(C) | Cell | No. (b) (6), (b |) (7)(C) |
| (signature of representative or person making charge) (Print/type | name and title or office, if any | /) Fax | | |
| 26 | Title: | l ax | | |
| (b) (6), (b) (7)(C) | | e-M | | |
| Address | (date) 01/20/201 | 9 20:00:21 | (b) (6) | , (b) (7)(C) |
| | | , | | |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by threatening to retaliate against employees if they did not join or support the union.

| Name of the Union Agent/Representative who made the threat | Date the threats were made |
|--|----------------------------|
| multiple | multiple |

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

8(b)(1)(A) and 8(b)(2)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by operating a hiring hall in a manner that was arbitrary, discriminatory or in bad faith.

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by issuing unlawful fines and or internal charges.

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to honor a resignation of union membership.

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to honor the revocation of dues check-off.

8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by requiring nonmembers to pay dues and fees that are not related to representational activities.

8(b)(1)(A) and 8(b)(2)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by causing the employer to discriminate against an employee(s) in retaliation for failing to pay union dues.

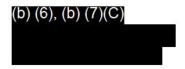
8(b)(3)

Within the previous six months, the above-named labor organization has failed and refused to bargain in good faith with the employer.

US Court House, Spring Street 312 N Spring Street, 10th Floor Los Angeles, CA 90012

Agency Website: www.nlrb.gov Telephone: (213)894-5200 Fax: (213)894-2778

February 6, 2019



Re: San Diego Police Officers Association

(Multiple Employers) Case 21-CB-234645

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that San Diego Police Officers Association has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because of the Board's lack of jurisdiction over this case. Moreover, your evidence does not set forth any matter cognizable under the National Labor Relations Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlrb.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on February 20, 2019. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 19, 2019. If an appeal is postmarked or given to a

delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 20, 2019.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 20, 2019, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

William B. Cowen Regional Director

Enclosure

cc: (b) (6), (b) (7)(C)

San Diego Police Officers Association 8388 Vickers St. San Diego, CA 92111

Multiple Employers Community Research Foundation 1202 Morena Blvd., Ste. 300 San Diego, CA 92110

WBC/fb

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

| Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001 | |
|--|---|
| Please be advised that an appeal is here National Labor Relations Board from the action issue a complaint on the charge in | • |
| Case Name(s). | |
| Case No(s). (If more than one case number, included taken.) | ude all case numbers in which appeal is |
| | (Signature) |



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

February 27, 2019

(b) (6), (b) (7)(C)

Re: San Diego Police Officers Association

(Multiple Employers) Case 21-CB-234645

Dear (b) (6), (b) (7)(C)

We have carefully considered your appeal from the Regional Director's decision to dismiss the captioned charge. Based upon our review of the evidence disclosed by the Regional Office's investigation as well as applicable case law, we have decided to deny the appeal, substantially for the reasons in the Regional Director's letter dated February 6, 2019.

Aside from jurisdictional issues, the Regional Office's investigation disclosed that your evidence does not support a viable claim under the National Labor Relations Act. Accordingly, further proceedings on the captioned charge are unwarranted.

Sincerely,

Peter Barr Robb General Counsel

By:

Mark E. Arbesfeld, Director Office of Appeals

Mark E. Albertell

cc: WILLIAM B. COWEN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
US COURT HOUSE
312 N SPRING ST 10TH FL
LOS ANGELES, CA 90012

MULTIPLE EMPLOYERS COMMUNITY RESEARCH FOUNDATION 1202 MORENA BLVD STE 300 SAN DIEGO, CA 92110 (b) (6), (b) (7)(C) SAN DIEGO POLICE OFFICERS ASSOCIATION 8388 VICKERS ST SAN DIEGO, CA 92111

kf



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, DC 20570

April 11, 2019

(b) (6), (b) (7)(C)

Re: San Diego Police Officers Association

(Multiple Employers) Case 21-CB-234645

Dear (b) (6), (b) (7)(C)

We are in receipt of your appeal-form filing in connection with the above-referenced case. We have reviewed this filing; to the extent this filing was intended to be a motion for reconsideration, that is, a request to reconsider our initial denial of your appeal, you have not provided us with any basis to reconsider the denial. An additional review of the file indicates that there is no basis for disturbing the decision. Accordingly, the motion is denied, and this case is considered closed.

Sincerely,

Peter Barr Robb General Counsel

By:

Mark E. Arbesfeld, Director Office of Appeals

Mark E. Abesteld

cc: WILLIAM B. COWEN
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
US COURT HOUSE
312 N SPRING ST 10TH FL
LOS ANGELES, CA 90012

MULTIPLE EMPLOYERS COMMUNITY RESEARCH FOUNDATION 1202 MORENA BLVD STE 300 SAN DIEGO, CA 92110 (b) (6), (b) (7)(C) SAN DIEGO POLICE OFFICERS ASSOCIATION 8388 VICKERS ST SAN DIEGO, CA 92111

kh

| UNITED STATES OF AMERICA | | DO NOT | WRITE IN THIS SPACE |
|--|---|---|---|
| NATIONAL LABOR RELATIONS BOAR | RD . | Case | Date filed |
| CHARGE AGAINST LABOR ORGANIZATION AGENTS | ON OR ITS | 21-CB-253336 | 12/13/19 |
| INSTRUCTIONS: File an original of this charge with t occurred or is occurring. | he NLRB Regional D | Director of the region in wh | nich the alleged unfair labor practice |
| | N OR ITS AGENTS AG | AINST WHICH CHARGE IS E | |
| a. Name Security, Police, and Fire Professionals of A | America, Local 1 | b. Union Representative (b) (6), (b) (7)(C) | (<u>4.199-), 17.11-18.</u> (19.19-), 17. (19.19-) |
| c. Address 1620 Centinela Ave # 308 | m s to mere plant | d. Tel No. 562-666-5808 | e.e. Cell No. |
| Inglewood, CA 90302 | | f. Fax No. | g. e-Mail |
| 8(b), subsection(s) (1)(A) of the National Labor Relatithe meaning of the Act, or are unfair practices affecting. Basis of the Charge (set forth a clear and concise states) Since about (b) (6), (b) (7)(C) 2019, the above exercise of rights protected by Section 7 of arbitrary or discriminatory reasons. | ng commerce within the dement of the facts con- named labor orgother the Act by refuse | ne meaning of the Act and the instituting the alleged unfair I anization has restraine sing to process the terr | e Postal Reorganization Act. abor practices) d and coerced employees in the |
| Name of Employer American Corporate Security | | 4a. Tel No. | 4b. Cell No. |
| | | | |
| | | 4c. Fax No. | 4d. e-Mail |
| 5. Location of Plant involved (street, city, state, and ZIP of | code) | 6. Employer representati | ve to contact |
| 1 World Trade Center, Suite 1240 Long Bea | ach, CA 90831 | | |
| 7. Type of Establishment (factory, mine, wholesaler) | 8. Principal produc | ct or service | Number of Workers employed |
| Service provider | security | 73 4 / | #3 |
| 10. Full name of party filing charge (b) (6), (b) (7)(C) | | 11a. Tel. No. | (b) (6), (b) (7)(C) |
| | | 11c. Fax No. | (b) (6) (b) (7)(C) |
| 11. Address of party filing charge (street, city, state, and a (b) (6), (b) (7)(C) | ZIP code) | | |
| (b) (0), (b) (7)(C) | 12. DECLARA | | |
| b) (6), (b) $(7)(C)$ | | | st of my knowledge and bellef. Tel No. |
| | (b) (b) |), (b) (7)(C | |
| b) (6), (b) (7)(C) | (b) (6), (b | | Cell No. (b) (6), (b) (7)(C) |
| (b) (6), (b) (7)(C) | | Date 5 19 | Fax No. |
| | | (- (| e-Mail |
| gradue. | | | (b) (6), (b) (7)(C) |

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

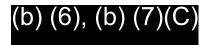
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or lingation. The routine uses for the information are fully set forth in the Federal Register. 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.

ANOUNT TO THE STATE OF THE STAT

REGION 21 US Court House, Spring Street 312 N Spring Street, 10th Floor Los Angeles, CA 90012

Agency Website: www.nlrb.gov Telephone: (213)894-5200 Fax: (213)894-2778

January 29, 2020



Re: Security, Police, and Fire Professionals of

America, Local 1 (American Corporate Security)

Case 21-CB-253336

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that Security Police and Fire Professionals of America (SPFPA) Local 1 has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges the Union violated Section 8(b)(1)(A) of the Act by refusing to process your termination grievance for arbitrary or discriminatory reasons or in bad faith. The investigation revealed, however, that the Union promptly filed a grievance after your termination and sought to resolve the matter with the Employer within a few days of the filing of the grievance. After the Employer declined to settle the matter, citing the client's request that you be removed from the worksite, the Union determined that it was not likely to prevail in arbitration and withdrew your grievance. This decision was within the Union's wide range of reasonableness with regard to the processing of grievances. Thus, the investigation revealed no evidence that the Union's conduct was arbitrary or unlawfully motived. Accordingly, further proceedings in this matter are not warranted.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

- 1) Click on E-File Documents:
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlrb.gov. You are encouraged to also submit a complete statement of the facts

Security, Police, and Fire Professionals of America, Local 1 (American Corporate Security) Case 21-CB-253336

and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

- 2 -

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on February 12, 2020. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 11, 2020. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 12, 2020.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 12, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

William B. Cowen Regional Director

Enclosure

cc: (See next page)

Security, Police, and Fire Professionals of
America, Local 1 (American Corporate
Security)
Case 21-CB-253336

cc: Richard M. Olszewski, Attorney at Law Gregory Moore Brooks & Clark PC

rich@unionlaw.net

American Corporate Security 1 World Trade Center, Suite 1240 Long Beach, CA 90831

WBC.hta

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

| To: General Counsel Attn: Office of Appeals | Date: |
|--|--|
| National Labor Relations Board | |
| 1015 Half Street SE | |
| Washington, DC 20570-0001 | |
| • • | reby taken to the General Counsel of the National egional Director in refusing to issue a complaint on |
| Security, Police, and Fire Professionals of Amo | erica, Local 1 (American Corporate Security) |
| Case Name(s). | |
| 21-CB-253336 | |
| Case No(s). (If more than one case number, inclination | ude all case numbers in which appeal is taken.) |
| | |
| | |
| | (Signature) |
| | |